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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

MICHAEL PRINCE
PLAINTIFF
VS.

CAUSE NUMBER: 4:13cv165-SA-JMV

WASHINGTON COUNTY, MISSISSIPPI
SHERIFF MILTON GASTON, in his Official
Capacity, LIEUTENANT MACK WHITE,
in his individual and official capacity,
DEPUTY MARVIN MARSHALL,
in his individual and official capacity, and
JOHN DOES 1-10

DEFENDANTS

DEPOSITION OF MICHAEL PRINCE

Taken at the law offices of Campbell DeLong,
923 Washington Avenue,
Greenville, Mississippi,
on Thursday, March 20th, 2014,
beginning at approximately 10:00 a.m.

REPORTED BY:

DEBRA A. WILLIAMS, CCR, #1748
CERTIFIED COURT REPORTER
NOTARY PUBLIC

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STIPULATION

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APPEARANCES

For the Plaintiff:

DEREK L. HALL, ESQ.
Derek L. Hall, PLLC
1911 Dunbarton Drive
Jackson, Mississippi 39216-5002

For the Defendants:

ANDREW F. TOMINELLO, ESQ.
SCOTT PHILLIPS, ESQ.
Campbell DeLong, LLP
923 Washington Avenue
Post Office Box 1856
Greenville, Mississippi 38702-1856

Also Present:

Rebecca Gramling
Lieutenant Mack White

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It is hereby stipulated and agreed by
and between the parties hereto, through their
respective attorneys of record, that this
deposition may be taken at the time and place
hereinbefore set forth, by DEBRA WILLIAMS, Court
Reporter and Notary Public, pursuant to the
Rules;

That the formality of reading and
signing is specifically NOT WAIVED;

That all objections, except as to the
form of the questions and the responsiveness of
the answers, are reserved until such time as
the deposition, or any part thereof, may be
used or sought to be used in evidence.

* * *

MICHAEL PRINCE

1 (Pages 1 to 4)



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1 having been first duly sworn,
 2 was examined and testified as follows,
 3 EXAMINATION
 4 BY MR. TOMINELLO:
 5 Q All right. Mr. Prince, would you
 6 state your name for the record, please?
 7 A Michael Prince, Jr.
 8 Q Okay. Mr. Prince, I am Drew
 9 Tominello. I'll be taking your deposition
 10 today. And I want to know, have you ever given
 11 a deposition before?
 12 A No, sir.
 13 Q Okay. So I'm just going to kind of
 14 give you an overview of what happens. I'll ask
 15 you questions and you answer. From time to
 16 time, your lawyer may object.
 17 MR. TOMINELLO: And to that point,
 18 Mr. Hall, would you like to reserve
 19 reservations -- objections to the form
 20 only?
 21 MR. HALL: Yes. We'll just stipulate
 22 to follow the Mississippi Rules of Civil
 23 Procedure. All objections except to the
 24 form will be reserved until the proper
 25 time.

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1 BY MR. TOMINELLO:
 2 Q All right. Now, she'll be taking down
 3 your responses and my questions, so you can't
 4 say um-hum or huh-uh. And it has to be verbal.
 5 It can't be a head shake yes or no.
 6 A Yes, sir.
 7 Q If you need to take a break at any
 8 point, just let me know and we can do that.
 9 And if I ask you a question that you don't
 10 understand, I need you to let me know that you
 11 don't understand it before you answer.
 12 A Yes, sir.
 13 Q Okay. Because if you do answer, if we
 14 do use this deposition for whatever reason we
 15 can later on, it's going to be presumed that
 16 you understood the question and that you
 17 answered it truthfully. Okay? So just let me
 18 know if you don't understand. All right?
 19 A Yes, sir.
 20 Q I want to start off by just getting
 21 some of your family members' info. Give me
 22 your parents' names.
 23 A Dora Mae Prince. That's my mom. My
 24 father's name is Michael Prince, Sr. Okay.
 25 Other siblings, as my sisters, I've got three

Page 7

1 sisters. One's name is Annie Mae Mason. The
 2 second one is Lajuana (phonetically) Morgan and
 3 Makayla (phonetically) Prince.
 4 Q All right. Have you ever been married
 5 before?
 6 A Yes, sir.
 7 Q You have. What was your wife's name?
 8 A Alicia Ann Prince.
 9 Q Okay. Are y'all still married today?
 10 A Yes, sir.
 11 Q Okay. Do you have any children?
 12 A Yes, sir.
 13 Q How many?
 14 A One.
 15 Q Okay. Boy or girl?
 16 A Girl. Her name is [REDACTED]
 17 Q You have any cousins or anything like
 18 that nearby?
 19 A Yes, sir.
 20 Q Okay. In Washington County or any of
 21 the surrounding counties, delta counties, close
 22 by?
 23 A Yes, sir.
 24 Q Would you give me those names?
 25 A Henry Mason, Antonio Daniels. That's

Page 8

1 about, like, close cousins that I have.
 2 Q Just anybody that's related to you
 3 close or nearby, I'd like to know them.
 4 A Casetta Mason, Donte Reed, Karita
 5 Mason, Shanita Mason, Louis Mason.
 6 Q Okay. And they all live in
 7 Mississippi?
 8 A Yes, sir.
 9 Q In the Delta?
 10 A Yes, sir.
 11 Q Okay. You have any other names after
 12 Louis that you can remember?
 13 A Not that's surrounding -- in the
 14 surrounding area.
 15 Q Okay. Where is Henry Mason from?
 16 A Greenville.
 17 Q Okay. Antonio?
 18 A Greenville.
 19 Q Casetta?
 20 A Greenville.
 21 Q Okay. Are they all in Greenville?
 22 A Yes, sir.
 23 Q What about aunts and uncles or
 24 anything?
 25 A Yes, sir.

2 (Pages 5 to 8)

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1 Q Would you list their names for me?
 2 A On my dad's side is Leroy Prince,
 3 Joseph Prince, Felicia Prince. My mom's side,
 4 my uncles are Henry Mason, Willie B. Mason, and
 5 that's about it.
 6 Q Okay. Henry or Willie, are they
 7 married?
 8 A Yes, sir.
 9 Q Who are their -- do you know their
 10 wives' names?
 11 A Linda Mason.
 12 Q Is that Henry's wife?
 13 A Yes, sir. And Willie B., he's not
 14 married.
 15 Q He's not?
 16 A No, sir.
 17 Q Okay. Do all of your aunts and uncles
 18 live in Greenville as well?
 19 A Yes, sir.
 20 Q Okay. Leroy Prince, is he married?
 21 A Yes, sir.
 22 Q To who?
 23 A Gloria.
 24 Q Okay. Joe Prince?
 25 A No, sir. His wife is deceased.

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1 A My trailer was Trailer 2.
 2 Q Trailer 2?
 3 A Yes, sir.
 4 Q And you rented that trailer?
 5 A Yes, sir.
 6 Q Okay. You were living out there at
 7 that time?
 8 A Yes, sir.
 9 Q You still live out there?
 10 A No, sir.
 11 Q Was it just you and Ashley hanging out
 12 that night or did y'all have other people with
 13 you?
 14 A Yeah, it was me and Ashley, and we had
 15 a couple of friends that stayed down from us.
 16 Her name is Erma Johnson and another one of my
 17 friend guys. His name is Earnest. I don't
 18 remember his last name.
 19 Q Okay. And y'all were just hanging out
 20 inside the trailer or outside the trailer?
 21 A Outside.
 22 Q Outside?
 23 A Yes, sir.
 24 Q Was there like a porch that you had
 25 that y'all maybe, like, had been sitting on?

Page 10

1 Q Okay. Felicia?
 2 A No, sir.
 3 Q Grandparents?
 4 A No, sir. They're deceased.
 5 Q Okay. Let's see. I think that covers
 6 -- and you've only been married once?
 7 A Yes, sir.
 8 Q Okay. You don't have any other
 9 children other than the one from that marriage
 10 or from your current marriage, rather?
 11 A No, sir.
 12 Q Okay. All right. I kind of want to
 13 -- I just want to start with the night in
 14 question, which is March 16th, 2012.
 15 What were you doing out at the trailer
 16 park that night?
 17 A Well, I was just sitting around.
 18 Well, it was a Friday night. I had just got
 19 off work. I had me a couple of drinks or
 20 whatever. And that's --
 21 Q Who were you there with?
 22 A My girlfriend. Her name was Ashley
 23 Augustine.
 24 Q Okay. Where were you in the trailer
 25 park? What trailer would you be at?

Page 12

1 A Like a patio-like type.
 2 Q A patio?
 3 A Yes, sir.
 4 Q Okay. Listening to music or anything
 5 like that?
 6 A No, sir. We were just sitting out
 7 conversating.
 8 Q Talking?
 9 A Yes, sir.
 10 Q All right. About how many beers do
 11 you think you had, if you can remember?
 12 A I don't remember.
 13 Q Okay. Were y'all doing anything other
 14 than drinking?
 15 A No, sir.
 16 Q So you were sitting out there that
 17 night, and you were hanging out with some
 18 friends. And just take me from there as to
 19 what happened.
 20 A Well, they -- we heard some gunshots
 21 or whatever. And the landlord lady came to --
 22 well, over to the trailers where we were and
 23 she was saying, like, everybody should go in
 24 the house or something. So they said the guy
 25 Stevenson had shot the gun or whatever.

3 (Pages 9 to 12)

Page 13

1 Q Stevenson?
 2 A Yes, sir.
 3 Q Does he have a first name or is that a
 4 last name?
 5 A I think his last name is Johnson,
 6 Stevenson Johnson. He stayed right across from
 7 me.
 8 Q Okay. Do you know what trailer that
 9 would be?
 10 A No, sir, I don't.
 11 Q Okay. So what did you do at that
 12 point you learned that Stevenson Johnson may
 13 have fired shots that night?
 14 A We went in the house for a minute, and
 15 then everybody -- we all went back outside or
 16 whatever. So by that time, the deputies came
 17 out. Well, I went back in the house because I
 18 had, like, a little ticket for the city, and I
 19 didn't want to get arrested or nothing. So by
 20 that time, I went ahead.
 21 So the deputies, they was -- well,
 22 they was looking for me. They seen me running,
 23 I guess, and they was looking for me or
 24 whatever. So I was in some bushes. I was
 25 laying down, like, on my stomach in some

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1 bushes. So they -- I seen them. And it was
 2 dark. They had their flashlights coming out.
 3 So after they -- I guess, after they
 4 spotted me, that's when all that commotion --
 5 went to hitting me in the face with the
 6 flashlights and all that.
 7 Q All right. Let's back up a little
 8 bit, then. Okay. So you were hanging out on
 9 the patio. You hear gunshots. Bobbie White,
 10 which is the trailer park manager at the time,
 11 comes and tell y'all y'all need to go inside?
 12 A Yes, sir.
 13 Q And so you went inside until the
 14 sheriffs came. You didn't have an altercation
 15 with anybody in the trailer park at that time?
 16 A No, sir.
 17 Q Okay. And that's your testimony
 18 today?
 19 A Yes, sir.
 20 Q Okay. Let's see. So you stayed in
 21 the trailer. And so at some point you decided
 22 -- why did you think you needed to flee? If
 23 you were inside your trailer and the sheriffs
 24 were out there, why did you think they might
 25 arrest you that night or find out about your

Page 15

1 ticket?
 2 A Because, like, Greenville sheriffs and
 3 police, they always -- you know how they run
 4 people's names? I didn't want them to run my
 5 name or nothing like that.
 6 Q You think they would normally just run
 7 the names of any witnesses they got to see if
 8 they had an outstanding warrant or something
 9 like that?
 10 A Yes, sir.
 11 Q Okay. You think that's, like, a
 12 practice they have? Is that what you're
 13 saying?
 14 A Yes, sir.
 15 Q Okay. Did you know Steven Johnson
 16 before that night?
 17 A Yes, sir. He -- we never conversated.
 18 Like I'd go outside and take out trash and I'd
 19 speak to him and go on about my business. We
 20 never just hung out or whatever.
 21 Q Okay. You never had any arguments
 22 with him or anything like that?
 23 A Well, once we had a little argument.
 24 But it was like from -- I was at my trailer and
 25 he was at his trailer and that type.

Page 16

1 Q Okay. Do you remember what you were
 2 wearing that night?
 3 A No, sir.
 4 Q Okay. So you hear shots. You go into
 5 your trailer. And then you realize the cops
 6 are coming or the sheriffs are coming?
 7 A Yes, sir.
 8 Q All right. So what happens from that
 9 point? Let me back up, actually. You go back
 10 in your trailer. And so what are y'all doing
 11 while you're in the trailer before you learn
 12 the sheriffs are coming?
 13 A We were just sitting in.
 14 Q Still hanging out?
 15 A Yes, sir.
 16 Q How did you learn the sheriffs were
 17 coming?
 18 A Because the landlord lady, she came
 19 and said she was about to call the sheriffs --
 20 I mean the deputies or whatever.
 21 Q Did she knock on everybody's trailer
 22 and tell them that or did she just --
 23 A No, sir. She rode through.
 24 Q Okay. And was saying it out of the
 25 window? Or how did she tell you?

4 (Pages 13 to 16)

Page 17

1 A She usually just stop by and talk to
2 us anyway.

3 Q Okay. But you're inside the trailer
4 at this point?

5 A No, sir. I was outside when she
6 stopped by and told me -- well, told us that
7 she was about to call them.

8 Q Okay, about to call?

9 A Yes, sir.

10 Q And so I guess my question is, if you
11 learned about it before you went to your
12 trailer, why didn't you just leave at that
13 point if you knew they were coming?

14 A Well, I just went back outside.

15 Q Okay. Take me through -- okay. The
16 moment that you, I guess, decided to start
17 fleeing from the police or from the sheriffs,
18 how did you go about getting to where you were?

19 A What do you mean? Like could you
20 explain?

21 Q Okay. So you're in your trailer. And
22 then you decide you're going to flee because
23 you don't want the cops to ask you about your
24 ticket?

25 A Yes, sir.

Page 19

1 Q Okay. Will you circle the one that
2 you think that's yours?

3 MR. HALL: Is that going to show up?

4 MR. TOMINELLO: I don't think it's
5 going to with all of those dark trees.

6 MR. HALL: You want to just take a
7 break? Let's just stop for a second.

8 MR. TOMINELLO: All right.

9 (A BREAK WAS TAKEN.)

10 BY MR. TOMINELLO:

11 Q All right, Mr. Prince, so you just
12 circled your trailer. It looks like that's the
13 fourth one and on the south side of the trailer
14 park?

15 A Yes, sir.

16 Q Now, that night y'all were sitting out
17 there and you heard shots fired. And you
18 didn't go inside after you heard the shots
19 fired why?

20 A I went inside.

21 Q After Bobbie told you?

22 A No. After -- well, she came by and
23 told us that she was about to call the sheriff.
24 So we went inside for a while and then I went
25 back outside.

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1 Q Where did you go exactly?

2 MR. TOMINELLO: And I think we can go
3 ahead and make this an exhibit.

4 (EXHIBIT 1 MARKED FOR THE RECORD.)

5 BY MR. TOMINELLO:

6 Q Can you show me on here, first off,
7 where your trailer was?

8 A (Witness complies.)

9 Q So this would be Bobbie White's
10 trailer over here (indicating). And this would
11 be the road that the Co-op is on? Do you know
12 what I'm talking about?

13 A Yeah, I know the Co-op.

14 Q Okay.

15 A See, it's, like, trailers on both
16 sides of the road.

17 Q Yes. See, these are the other
18 trailers (indicating). And so there's trailers
19 over here (indicating). And this would be --
20 this is north (indicating). This is south
21 (indicating). The Co-op is back over here
22 (indicating).

23 A Okay. Okay. Well, I was like the --
24 let me see -- I'm thinking, like, the fourth
25 trailer.

Page 20

1 Q Okay. The shots didn't scare you or
2 anything like that?

3 A Yeah. That's why we went inside.

4 Q You were saying, though, that you
5 didn't go inside until Bobbie told you the cops
6 were coming.

7 A Yeah, she told us that she was about
8 to call the cops.

9 Q So how much time elapsed, I guess,
10 between the shots fired and when Bobbie came
11 and told you that she was about to call the
12 cops?

13 A I don't remember.

14 Q Ten minutes? Five minutes, if you can
15 remember? More than five minutes?

16 A I guess, like, more than five minutes.

17 Q Okay. Where did you hear the shots
18 come from?

19 A The shots came from the opposite side
20 of the trailers.

21 Q Using that map, show me where that is.

22 A See, I stayed on this side
23 (indicating). The shots came from, like, down
24 in this area somewhere (indicating).

25 Q Okay. And that didn't --

5 (Pages 17 to 20)

Page 21

1 MR. PHILLIPS: Get him to identify it,
2 please.
3 BY MR. TOMINELLO:
4 Q I'm sorry. Yeah, would you just mark
5 -- would you put an X where you say the shots
6 were fired at?
7 A (Witness complies.)
8 Q And on there, do you know where Steven
9 Johnson lived at the time? I think you said
10 earlier --
11 A Steven stayed like --
12 Q Across from you?
13 A Yes, sir. It wasn't exactly across
14 from me, but it had to be, like, right up in
15 here (indicating). You want me to just put an
16 X right here?
17 Q Well, you can put a square since
18 you've got a circle on your house and an X
19 where you think the shots were filed.
20 MR. PHILLIPS: Or S. J.
21 BY MR. TOMINELLO:
22 Q Or, yeah, S. J. That'll be good. You
23 can just write an S and a J.
24 A (Witness complies.)
25 Q Okay. So Steven Johnson was there.

Page 23

1 went back inside. And at some point you
2 decided to come down. Or when did you -- what
3 did you do when you decided to flee? Just go
4 through it step by step for me.
5 A Well, I ran to the back side of the
6 trailers.
7 Q Okay. Will you do me a favor and use
8 that blue --
9 A This?
10 Q Yeah, use that blue and just put
11 your --
12 A From my trailer, I ran to the back
13 side of the trailers up to Reed Road. All
14 right. From Reed Road is like a set of garbage
15 cans that sit like right on the corner. And
16 I'm thinking, by that time, some deputies were
17 coming up Raceway Road. So they saw me going
18 back in the woods. And from there, that's when
19 I went in the woods and I hid. Well, I laid
20 down on my stomach or whatever.
21 Q Okay. Why didn't you just go straight
22 from your trailer into the woods?
23 A Because it's a fence right there.
24 Q Okay. How tall is that fence?
25 A I don't remember.

Page 22

1 And you told me earlier, too, that y'all had
2 gotten into an altercation before. Can you
3 tell me what that was about?
4 A No, sir. I don't remember.
5 Q You don't remember?
6 A No, sir.
7 Q Okay. What about -- do you know
8 Tekoah Arrington?
9 A No, sir.
10 Q No. Okay. Do you know who Steven
11 stayed with out at the trailer park?
12 A His girlfriend.
13 Q You don't know her name?
14 A I don't remember her name.
15 Q Okay. So I kind of want to go back
16 and ask, I guess, why, if you heard shots fire,
17 did you not go in until Bobbie told you that
18 she was calling the cops, you know, about the
19 shots?
20 A I don't know.
21 Q Okay. I want to go, I guess, now
22 through what you did when you decided that you
23 needed to get away from the police. And so
24 just tell me.
25 You were here at your trailer. You

Page 24

1 Q Okay. There's no holes in it
2 anywhere, though?
3 A No, sir. It wasn't at the time.
4 Q All right. Now, you heard the first
5 set of shots. Were there any other shots fired
6 that night?
7 A No, sir, not that I know of.
8 Q Not that you know of?
9 A No, sir.
10 Q Okay. And it's your impression that
11 the police were called or the sheriffs were
12 called out there because of that first round of
13 shots that were fired?
14 A Yes, sir.
15 Q Okay. It wasn't because of any other
16 reason?
17 A No, sir.
18 Q Okay. What charge did you have when
19 you were afraid the cops were going to arrest
20 you on or the sheriffs were going to arrest you
21 on?
22 A I think it was like a contempt to work
23 charge. I didn't go to, like, a work service
24 program.
25 Q Why did you have to go to that work

6 (Pages 21 to 24)

Page 25

1 program?
 2 A I had a little ticket.
 3 Q Okay. We'll get into that. Did you
 4 have a gun that night?
 5 A No, sir.
 6 Q Do you own a gun?
 7 A No, sir.
 8 Q Have you ever owned a gun?
 9 A No, sir. And I think they got
 10 Stevenson with the gun that night.
 11 Q I'm not aware of that. I don't know.
 12 Okay. So you went into the woods. What did
 13 you do once you were in the woods?
 14 A Well, I ran around in the woods for a
 15 little while, and then I hid, like, right by a
 16 tree. I was laying on my stomach in some brush
 17 or whatever.
 18 Q Okay. And you say you didn't hear any
 19 other gunshots except for that first set?
 20 A Yes, sir.
 21 Q Okay. You say you saw some sheriffs
 22 coming down Reed Road. How many did you see?
 23 A I don't remember.
 24 Q One? Do you remember if it was just
 25 one?

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1 A Maybe two cop cars. I don't remember.
 2 I really don't remember.
 3 Q But did you see the actual deputies?
 4 You saw patrol cars coming that way?
 5 A Yeah.
 6 Q Did they have lights on?
 7 A Yes, sir.
 8 Q Okay. At what point did you learn
 9 that the sheriffs were looking for you?
 10 A Well, when I took off running from my
 11 trailer, I'm thinking -- I really don't
 12 remember.
 13 Q Okay. Why did you think they'd be
 14 looking for you?
 15 A Because they saw me when I ran.
 16 Q How do you know they saw you?
 17 A Because it was like some deputies car
 18 was already out there, like right in this area
 19 somewhere (indicating).
 20 Q Okay.
 21 A Then by that time, a couple of them
 22 had got out of their vehicles.
 23 Q Okay. What did they do when they got
 24 out?
 25 A I just saw a couple of them walking up

Page 27

1 the street.
 2 Q All right. Then how did you see them?
 3 A I was standing out. I was outside.
 4 Q So you came back out of the trailer?
 5 A That's when I was already out. I was
 6 already outside of the trailer.
 7 Q Okay. Wait. So are you saying you
 8 saw the sheriffs? Okay. I just kind of want
 9 to back up through this because I'm getting
 10 confused myself.
 11 You were outside partying. Shots were
 12 fired. Bobbie White comes down. She tells
 13 y'all, hey, y'all heard the shots. I'm about
 14 to call the sheriff. Y'all need to go inside.
 15 It's dangerous?
 16 A Yes, sir.
 17 Q That happened for like more than five
 18 minutes after the shots were fired, if I
 19 remember what you said correctly?
 20 A Yes, sir.
 21 Q Then y'all go inside and y'all hang
 22 out a little bit. And then you come back
 23 outside?
 24 A Then I'm making my way back outside,
 25 yes, sir.

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1 Q And then you see the sheriffs?
 2 A Yes, sir.
 3 Q Okay. And then you decide you need to
 4 get out of there?
 5 A Yes, sir.
 6 Q Because you have a ticket, you say?
 7 A Yes, sir. And it was for -- I wasn't
 8 thinking at the time. It was for the city,
 9 though.
 10 Q Okay. And you don't remember how much
 11 -- how many drinks you had that night?
 12 A No, sir. I wasn't intoxicated.
 13 Q Okay. And why do you say that?
 14 A Because I hadn't drank that much. I
 15 had just really started.
 16 Q How much does it take you to get
 17 drunk?
 18 A Probably like a 12 pack. And I
 19 usually --
 20 Q How often do you drink?
 21 A Maybe on weekends, special occasions
 22 or whatever.
 23 Q Okay. All right. Take me through --
 24 and I asked you how you first learned that the
 25 sheriffs were coming, didn't I? That they were

7 (Pages 25 to 28)

Page 29

1 looking for you in the woods?

2 A Sir?

3 Q How did you learn the sheriffs were
4 looking for you in the woods?

5 A Oh, because I saw them. They seen me
6 when I took off to running. And I guess by
7 that time, some patrol cars was coming.

8 Q You say they saw you take off running.
9 Did any officer tell you to stop?

10 A I didn't hear them say stop.

11 Q Okay. And so you keep on going. You
12 turn around. Does the fence end right there?
13 Do you know?

14 A Yes, sir.

15 Q Okay. And so you turn around and the
16 fence is there. And then you run back through
17 the woods and you just start running. About
18 where were you laying in there?

19 A I had made it -- like I was right up
20 in this area somewhere (indicating).

21 Q Pretty much right back at your
22 trailer?

23 A Yes, sir.

24 Q Okay. Where did you hear the
25 sheriffs, then? I mean, could you see them

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1 A See out towards the trailers?

2 Q Yeah. Could you see, you know, in
3 general?

4 A Or in the woods?

5 Q Yeah.

6 A No, I couldn't. It was dark.

7 Q It was dark. Okay. Could you see
8 lights shining anywhere?

9 A Besides the flashlights?

10 Q Yeah.

11 A Yes, sir.

12 Q Okay. And so the only officers you
13 heard, they were actually in the woods. They
14 weren't in the trailer park. Is that what
15 you're saying?

16 A I guess they had chased me out. They
17 was chasing me, so they ran off in the woods
18 behind me.

19 Q Okay. All right. So take me to the
20 point when the sheriffs find where you are.
21 What happens?

22 A Well, I remember Mr. Mack right there
23 (indicating), he's the one -- I was on my back
24 -- I was on my stomach already. I remember
25 getting hit with the flashlight. And I got hit

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1 from where you were? Could you see sheriffs?

2 A No, sir.

3 Q You could not?

4 A Talking about when they made it in the
5 woods?

6 Q Well, no. I guess you make your way
7 back here (indicating), and then you lay down
8 by a tree. And how do you know the sheriffs
9 are at the point looking for you? Or do you?

10 A I heard them.

11 Q You do? You know they're looking for
12 you? And where did you hear them?

13 A Well, I guess they had made their way
14 up in the woods. They was shinning their
15 flashlights like we're going to get his ass and
16 all that.

17 Q You're saying they. Do you know how
18 many?

19 A I remember at least three.

20 Q Okay. And three. Where would those
21 three be, if you can use your picture and kind
22 of show me?

23 A I guess they was pretty close to me,
24 because it didn't take them long to find me.

25 Q Could you see out there?

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1 in my mouth with the flashlight. That's when
2 it knocked my teeth out. And I remember him
3 just taking me to the police car. He was
4 walking me up towards Raceway Road and put me
5 in the cop car.

6 Q All right. So let's go back a little
7 bit. You're laying down on the ground. How do
8 you know that it's dark? How do you know that
9 it's Lieutenant White that comes up on you?

10 A Because he arrested me.

11 Q Okay. I'm asking --

12 A He jumped down on me.

13 Q I guess I'm asking did he shine a
14 light on you?

15 A Yes, sir.

16 Q And he saw you?

17 A Yes, sir.

18 Q And what did he say?

19 A I don't remember exactly what he said.
20 I remember just getting beat with the
21 flashlight.

22 Q You didn't move at all? Did he say
23 don't move?

24 A Yeah. He was telling me not to
25 resist. Don't resist. I wasn't resisting.

8 (Pages 29 to 32)

Page 33

1 I'm already on the ground.

2 Q You didn't get up and try to --

3 A No, sir.

4 Q -- run or anything like that?

5 MR. HALL: Stop. Let him finish his
6 question before you answer, because she's
7 having a hard time typing both of y'all at
8 once.

9 THE WITNESS: Yes, sir.

10 MR. HALL: So let him finish. Then
11 you can answer. And he needs to let you
12 finish. Okay?

13 THE WITNESS: Yes, sir.

14 BY MR. TOMINELLO:

15 Q Okay. Let's get back to that. All
16 right. Mack shines his light on you, and he
17 tells you to stay down?

18 A Yes, sir.

19 Q And he says -- what did he say? Stay
20 there? And you stayed there?

21 A He was telling me not to resist.

22 Q Okay. Why would he say not to resist
23 if you weren't resisting?

24 A I don't know. Because I was already
25 on the ground. I was laying on my stomach in

Page 35

1 that's when they just went to beating me or
2 whatever.

3 Q Okay. And what were you doing during
4 that time?

5 A I was hollering.

6 Q What were you hollering?

7 A I was, like, help, help. Because my
8 mom and them, they was standing -- they was,
9 like, right there at the back of the gate. And
10 I heard my mom, she was telling them don't beat
11 my son or something she was saying. And some
12 other people was like that ain't right. That
13 ain't right or whatever.

14 Q Why was your mom out there?

15 A Because she -- I guess my girlfriend
16 had told her that the cops -- because she
17 stayed right down on the other end of the road,
18 not too far from the trailer park.

19 Q Okay. That's interesting. So from
20 the time that you decided to run into the woods
21 to the time they found you, how much passed --
22 how much time passed?

23 A I don't remember. I don't.

24 Q Is there any way you can estimate it?
25 Is it more than 30 minutes? Less than 30

Page 34

1 the woods trying to hide. And that's when he
2 shined his light on me.

3 Q Okay. How exactly were you laying?

4 A I was, like, laying on my stomach.

5 Q Okay. Where were your hands?

6 A I guess, I was laying like -- you
7 know, I was still so nobody would see me or
8 whatever.

9 Q Okay. Do you remember what you had on
10 at that time?

11 A No, sir.

12 Q Okay. Let's see. And so it's your
13 testimony that when Mike came up -- I'm sorry,
14 when Lieutenant White came up on you, you were
15 still laying on the ground. You never got up
16 and tried to move?

17 A No, sir.

18 Q Okay. Did you show him your hands?

19 A No, sir.

20 Q No. Okay. And so how did he go about
21 -- or what are you saying? How did he hit you
22 with the flashlight? Were you laying on the
23 ground and he just came up and hit you?

24 A Really, I was laying on the ground. I
25 know he jumped on top of me or whatever, and

Page 36

1 minutes? It's enough time for your mom to be
2 called after you go into the woods and then get
3 there before they actually arrest you; is that
4 correct?

5 A Yes, sir. I'll have to say, like, 10
6 to 15 minutes. Well, it's probably not that
7 long. But when my girlfriend called my mom,
8 she's up and she's coming.

9 Q Where is she coming from?

10 A We -- well, they stayed right down the
11 road right from the trailer park.

12 Q What's their address?

13 A 590 Hammond Street. And I think, if
14 I'm not mistaken, I think she said she was
15 coming from my sister's house. And my sister,
16 she stayed -- well, she stayed right down from
17 the trailer park. But I can't think of the
18 name of that road, but it's --

19 Q Okay. It's in the same area?

20 A Yes, sir.

21 Q Okay. So Mack comes up on you. He
22 shines the light on you. And then you say he
23 just runs up and just -- he runs up and does
24 what?

25 A That's when they got aggressive.

9 (Pages 33 to 36)

Page 37

1 Q Okay.
 2 A I just heard them in the woods saying
 3 they can't wait to find me because of
 4 something. I got them out here in the woods or
 5 something.
 6 Q Okay. Why would they not be able to
 7 -- why do you think they said that?
 8 A Sir?
 9 Q Why do you think they said I can't
 10 wait to find you. He's got us out here in the
 11 woods?
 12 A I guess they was upset because I had
 13 them chasing after me.
 14 Q Okay. And, again, you think that they
 15 were only chasing you because they saw you
 16 running?
 17 A Yes, sir.
 18 Q Okay. Is it fair to say that if they
 19 responded to gunshots fired and they see a
 20 person running, that that person might be a
 21 suspect or somebody of interest that they want
 22 to talk to?
 23 MR. HALL: Object to the form. You
 24 can answer.
 25 THE WITNESS: Well, anybody could have

Page 39

1 Q Okay. I guess, explain to me exactly
 2 just step by step what happened from the moment
 3 that Lieutenant White tries to arrest you to
 4 the moment you say you got hit with the
 5 flashlight.
 6 A All right. I was laying down in the
 7 bushes. And after he shined the light and they
 8 ran up on me or whatever, I remember him
 9 jumping down on me, and I remember getting hit
 10 with the flashlight.
 11 Q Do you remember --
 12 A They got me up off the ground, and I
 13 guess that's when he started walking me towards
 14 the car or whatever.
 15 Q Okay. How did he hit you with the
 16 flashlight?
 17 A I really don't remember. I just
 18 remember getting hit with the light and boom.
 19 Q What kind of flashlight was it? Do
 20 you remember?
 21 A No, sir. I was just like one of them
 22 big, long flashlights.
 23 Q Are you saying it's kind of like one
 24 of those big Maglite kind of flashlights that
 25 we see cops with all the time?

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1 been a suspect. I was running because I
 2 didn't want to get my name ran for -- you
 3 know.
 4 BY MR. TOMINELLO:
 5 Q I understand. I'm just asking.
 6 A Yes, sir.
 7 Q You know, if shots are fired and
 8 somebody is running, you want to know why they
 9 were running?
 10 A It was a lot of people outside that
 11 night.
 12 Q I understand. I understand. And you
 13 told me you didn't show them your hands. So
 14 then you tell me that Mack shines his light on
 15 you, and he tells you to stay down?
 16 A Yes, sir.
 17 Q And you say you're staying down?
 18 A Yes, sir.
 19 Q Okay. Your hands are under you? Out
 20 to the side?
 21 A I was laying like this (indicating).
 22 Q Okay. So you had your hands --
 23 A Yes, sir. So by the time they found
 24 me, I guess he handcuffed me or whatever. And
 25 all of this was happening at the same time.

Page 40

1 A Yes, sir.
 2 Q How long would you estimate that is?
 3 A foot? A foot and a half?
 4 A I guess it's like --
 5 Q I don't want you to guess. Is that 18
 6 inches?
 7 A I don't know.
 8 Q Let's see.
 9 (OFF THE RECORD.)
 10 BY MR. TOMINELLO:
 11 Q Back on the record. Mr. Prince,
 12 earlier you said that they were saying Steven
 13 Johnson fired the shots that started all of
 14 this. Who's they?
 15 A People in the trailer park.
 16 Q You remember any particular person who
 17 said it?
 18 A No, sir.
 19 Q How did you find out about it?
 20 A I heard people saying it.
 21 Q Were they yelling it?
 22 A Well, they was saying that he had a
 23 gun.
 24 Q All right. And so you're going to
 25 have to, I guess, get more specific with that.

10 (Pages 37 to 40)

Page 41

1 Was it another group of people? How did you
2 hear these people?

3 A Because our trailer is like -- they
4 ain't too far from each other. And we're
5 standing outside when I heard it. Other people
6 was saying that he had shot a gun or whatever.

7 Q And so you just hear it, I guess,
8 loudly from people talking?

9 A Yes, sir.

10 Q And so what were they saying?

11 A I just heard them say that he was the
12 one that shot the gun.

13 Q So they were saying you know those
14 gunshots, those were Steven Johnson. Is that
15 what they were saying?

16 A No. They was saying Steve had shot a
17 gun and he was shooting.

18 Q Okay. Anybody say why he was
19 shooting?

20 A No, sir.

21 Q Okay. Were they saying this right
22 after the shots were fired? Or how long after
23 the shots were fired you heard it?

24 A That was after I came back outside.
25 So we went in the house when we heard the

Page 43

1 A I don't remember, sir.

2 Q You don't know if you had a T-shirt
3 on?

4 A I don't remember.

5 Q Okay. Let's see. Did you have a
6 T-shirt on when you were at your trailer?

7 A I don't think so.

8 Q You don't think so?

9 A I don't think. I think I was standing
10 outside with my shirt off.

11 Q Okay. You remember the weather that
12 night? Was it cold? Was it hot? It's March.

13 A It was hot.

14 Q Hot?

15 A Yes, sir.

16 Q Okay. So when you took off running,
17 you figured you didn't have your shirt on?

18 A Like I said, I don't remember.

19 Q Okay. Well, you said you didn't have
20 your shirt on when you were at the trailer.

21 A Yeah, when I was at the trailer
22 standing out, I know I didn't have a shirt on.

23 Q Okay. When you were standing out
24 which time? Before or after the shots?

25 A I think that was before. Yeah, that

Page 42

1 gunshots. That was after I came back out.

2 Q Okay. Do you know if Steven Johnson
3 was ever charged with anything having to do
4 with those shots being fired?

5 A No, sir. The only thing what was told
6 to me was that he had got arrested that night.

7 Q Okay. You don't know why he was
8 arrested?

9 A No, sir.

10 Q Who told you that?

11 A One of the deputies.

12 Q Let's go back to, I guess, you being
13 in the woods, then, where we left off earlier.
14 You said you were in the woods. You're laying
15 facedown. And you said you don't remember what
16 you were wearing?

17 A No, sir.

18 Q When you were arrested that night, did
19 you have a shirt on?

20 A I don't remember. I believe -- I
21 really don't remember.

22 Q Okay. If your photo is without a
23 shirt, then that would -- they don't give you a
24 T-shirt when you come in to get booked, do
25 they?

Page 44

1 was before the shots.

2 Q Okay. You think you would have put a
3 shirt on when you went inside the trailer?

4 A I don't remember.

5 Q Okay. So you're out there. You got
6 your hands -- you told me you're laying
7 facedown. And then you say that they were
8 saying we're going to get him. Who's they?

9 A The deputies.

10 Q The deputies?

11 A Yes, sir.

12 Q How many people did you hear say it?
13 How many deputies did you hear saying this?

14 A I just heard them talking.

15 Q Okay. Did you hear one voice? Two
16 voices? Three voices?

17 A Like I said, it was like three of them
18 out there that was searching for me.

19 Q Okay. Now, there's a fence. Do you
20 know where any of these deputies were in
21 relation to that fence? Were some on one side
22 of the fence, others on the other? Do you know
23 just where were they?

24 A They was in the woods.

25 Q All three?

11 (Pages 41 to 44)

Page 45

1 A Yes, sir.
 2 Q And is it three?
 3 A Sir?
 4 Q Was it three that you think it was?
 5 A Yeah, I'm thinking, if not more.
 6 Q If not more?
 7 A Yes, sir.
 8 Q Okay. So the first deputy to come up
 9 on you is who?
 10 A Mr. Mack.
 11 Q Okay. And he tells you again to --
 12 you said to stay down. Is that what he told
 13 you?
 14 A Yes, sir. He was telling me to stop
 15 -- don't resist. He was, like, don't resist.
 16 Q Okay. Hold on. If he hasn't come up
 17 on you and gotten ahold of you, how can he tell
 18 you to not resist?
 19 A Well, by that time, he had done came
 20 up on me.
 21 Q All right. From the moment that he
 22 shines his light on you to the moment that he
 23 places his hands on you, how much time elapsed?
 24 A It was like as soon as he saw me, he
 25 went into action.

Page 46

1 Q Okay. He didn't say anything?
 2 A Except for when he jumped down on me,
 3 he was telling me don't resist. Don't resist.
 4 Q Okay. He shines his light on you.
 5 And you told me earlier he said stay down.
 6 Because you were laying down?
 7 A Yes, sir. I was on the ground when he
 8 found me.
 9 Q He said stay down. Okay. And you say
 10 you complied. Is that what you're saying?
 11 A Yes, sir.
 12 Q You stayed down?
 13 A Yes, sir.
 14 Q Okay. And then you say he came up on
 15 you. What do you mean by that?
 16 A He jumped on me.
 17 Q All right, jumped on you.
 18 A All this happened, like, at the same
 19 time. He shined the light. I guess after he
 20 spotted that it was me on the ground, he jumped
 21 on me and hit me with the light and kind of
 22 roughed me up a little bit.
 23 Q All right. Where did he hit you with
 24 the light?
 25 A In my eye.

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1 Q Okay. Now, if you're facedown, how
 2 did he hit you?
 3 A Because by that time, I done moved
 4 around a little bit and he hits me.
 5 Q I thought he told you stay down.
 6 A He told me to stay down. I was still
 7 on the ground when all this was happening.
 8 Q Okay. Why were you moving around?
 9 A I wasn't just going to stay like that.
 10 I was just turning. I guess that's when he hit
 11 me in the eye with the flash --
 12 Q How did he hit you?
 13 A I remember just being hit in the eye
 14 with the flashlight.
 15 Q You're making this motion where you're
 16 taking your hand and just moving it straight to
 17 your eye. Is that how --
 18 A I can't explain how he hit me because
 19 he was on -- and, then, it was dark. I can't
 20 really explain how that -- you know, how he hit
 21 me with the light. I just know he hit me with
 22 the flashlight.
 23 Q Did he hit you with the light before
 24 he jumped on you?
 25 A It had to be. See, it was happening

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1 so fast.
 2 Q I know. I understand. That's why I'm
 3 trying to break it down so that we can kind of
 4 understand what happened.
 5 So he sees you. He tells you to stay
 6 down. You decide to turn and face him. Is
 7 that what you said?
 8 A I really don't remember how it
 9 happened. But I know I was on the ground and
 10 hit with the light. I was hit a couple of
 11 times with the light.
 12 Q Again, before he jumped on you or
 13 after he jumped on you?
 14 A It had to have been after.
 15 Q After?
 16 A Yes, sir.
 17 Q Okay. When he jumped on you, do you
 18 remember which way you were facing? Were you
 19 still facing the ground?
 20 A Yeah, I was on the ground.
 21 Q I know you were on the ground. Was
 22 your head -- were you looking at the ground?
 23 Were you looking off to the left? To the
 24 right?
 25 A I had my head turned.

12 (Pages 45 to 48)

Page 49

1 Q Okay. Do you remember which way it
2 was turned?
3 A No, sir.
4 Q What were you laying by?
5 A What do you mean? I was laying in
6 some brush.
7 Q Okay, in some brush. Can you describe
8 it?
9 A When I was laying -- well, it was
10 close by a tree or whatever. But I just know I
11 was hiding in the brush and there was this
12 tree, like, right there by it.
13 Q Okay, a tree. So you're down. You're
14 by a tree. So then obviously you're staying
15 low trying to not be caught or discovered by
16 the cops?
17 A Yes, sir.
18 Q Okay. You say Mack jumped on you.
19 And I just need to know how he jumped on you.
20 A Well, I was on the ground. And I just
21 know he come up -- and it was night. I really
22 don't remember, like, as far as, like, how it
23 happened. But I know he jumped on my back, and
24 he was telling me don't resist. All this stuff
25 was happening at the same time. He's talking

Page 50

1 and -- you know.
2 Q Why do you think he said don't resist?
3 A I don't know. I remember telling him
4 I'm not resisting. I'm already on the ground.
5 How can I resist on the ground?
6 Q But you were also saying you turned.
7 A I turned my head.
8 Q What were you doing with your hands?
9 A My hands was down beside me. By that
10 time, see, he was -- all this was happening at
11 the same time. He handcuffed me. It happened
12 so fast.
13 Q Do you remember feeling his knee in
14 your back? Did he step on you with his foot?
15 I mean, how did he, I guess, jump on you?
16 A I don't remember that.
17 Q Okay. You don't remember anything
18 like that?
19 A No, sir.
20 Q Okay. What was he saying during this
21 time?
22 A What? After he --
23 Q Lieutenant White -- while all this is
24 happening, you're saying I'm not resisting.
25 I'm not -- he's saying quit resisting. Is he

Page 51

1 saying anything else?
2 A I just know they was cursing at me.
3 Q You say they again. Which officers?
4 A The deputies that was out in the
5 woods.
6 Q How many of them were there when Mack
7 found you?
8 A I remember three.
9 Q At that one time, all three converted
10 on you at once?
11 A No, sir.
12 Q Okay. Then how did that happen?
13 A After they --
14 MR. HALL: Object to the form.
15 THE WITNESS: After he saw me -- I
16 don't know. I just know he was the one
17 that was hitting me with the light or
18 whatever. I don't remember what the other
19 officers were doing.
20 BY MR. TOMINELLO:
21 Q How many times did you get hit with
22 the light?
23 A I know it was, like, twice.
24 Q And when you say you got hit by the
25 light, you were still facedown?

Page 52

1 A Yes, sir. Well, I had done turned my
2 head like.
3 Q Which eye was it?
4 A It was my left eye.
5 Q Okay. So whenever you say you were
6 turning your head, you were turning your head
7 to your right. But it has to be -- is that the
8 way you turned it that night?
9 A I don't remember.
10 Q Okay. Can you tell me how he could
11 have hit you with the light if you're on your
12 -- in your face? How he could hit you with the
13 light if you're on the ground and your face is
14 down?
15 A He shined the light. I looked up when
16 I knowed they had found me or whatever.
17 Q They? Again --
18 A The deputies. The officers.
19 Q Okay. And I'm going to go back
20 through it again. Did just Mack find you or
21 just multiple deputies find you at the same
22 time?
23 A I think he was the first one that
24 spotted me.
25 Q Okay.

13 (Pages 49 to 52)

Page 53

1 A And if I'm not mistaken, I heard
2 somebody, they was, like, I done lost my damn
3 radio. He got me -- they was really just
4 cursing at me.

5 Q When did you hear that?

6 A I was on the ground.

7 Q You were still in the woods. You
8 hadn't been caught at that point?

9 A No, sir.

10 Q Okay. You hadn't been caught when he
11 said he lost his radio? When somebody said he
12 lost his radio?

13 A Yeah. I really don't know who said
14 it. But they was so upset with me.

15 Q Okay. Again, why would they be upset
16 with you?

17 MR. HALL: Object to the form.

18 THE WITNESS: Because I took off to
19 running.

20 BY MR. TOMINELLO:

21 Q Okay. You keep saying they. And
22 there are multiple deputies. Are you saying
23 that it was just Mack that hit you or did the
24 other deputies?

25 A I don't remember.

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1 Q You don't remember?

2 A Yes, sir.

3 Q Okay. Do you remember Mack calling
4 for backup or anything?

5 A No, sir.

6 Q Okay. How would the other deputies
7 know he was there?

8 MR. HALL: Object to the form.

9 THE WITNESS: How did they know that I
10 was --

11 BY MR. TOMINELLO:

12 Q Well, I guess I'll ask him this way:
13 Mack comes up on you first?

14 A Um-hum (affirmative response).

15 Q Okay. And then you say you're laying
16 down and he jumps on top of you and then you
17 get hit in the face with a flashlight?

18 A Yes, sir.

19 Q And you don't know how long it took
20 for the other deputies to come there to
21 respond?

22 A They all was out in the woods looking
23 for me.

24 Q Okay. And I'm going to narrow this
25 down. Once Mack has jumped on top of you, do

Page 55

1 all the other deputies just -- do you know if
2 they all just come at you or how long it takes
3 them to get to you?

4 A I guess they was all, like, right up
5 there in that little area together.

6 Q About how big is this area are we
7 talking about?

8 A I can't explain.

9 Q Did you see multiple flashlights?

10 A Yeah. I know it was. Yes, sir.

11 Q All right. You could see -- say, you
12 could see Lieutenant White's flashlight. You
13 could see another deputy's flashlight. Is that
14 how it was?

15 A I could just see the lights shining.

16 Q The lights?

17 A Yes, sir.

18 Q You couldn't see back to the trailer
19 park, could you?

20 A No, sir. Well, after he raised me up
21 off the ground, I just saw like the fence.

22 Q How far were you from the fence?

23 A Well, by that time, people had made it
24 up to the fence.

25 Q Who? Who had?

Page 56

1 A I know my parents and a couple of my
2 friends. They had done walked up to the fence
3 because they know I had ran back in the woods.

4 Q Okay. How far were you from the fence
5 inside the woods?

6 A I don't remember. It wasn't that far.

7 Q How close were you where you could
8 finally see the trailer park again once you got
9 arrested?

10 A When they got me off the ground, they
11 started walking me back like towards the fence
12 way.

13 Q And so could you see the trailer park
14 the whole time from the moment they picked you
15 up or did you have to walk in some?

16 A What do you mean? Hold on. Could you
17 explain that again?

18 Q Yeah, I can. Okay. So you're on the
19 ground and you get arrested. They pick you up
20 and they start walking you toward the fence.
21 At what point could you see the trailer park
22 again?

23 A Probably like five yards or something
24 like that.

25 Q From where you were laying or from

14 (Pages 53 to 56)

Page 57

1 when you got to the fence?

2 A From where I was laying.

3 Q Okay. So what you're saying is people
4 at the fence, if you couldn't see them, they
5 wouldn't be able to see where you were either?

6 MR. HALL: Object to the form.

7 THE WITNESS: Well, they saw me when
8 they picked me up and started walking me
9 towards the fence.

10 BY MR. TOMINELLO:

11 Q When did they see you? Do you know?

12 A When they picked me up off the ground.

13 Q Then who saw you?

14 A My parents and a couple of friends was
15 out there.

16 Q The same friends you were hanging out
17 with or other ones?

18 A It was more than that.

19 Q More?

20 A Yes, sir.

21 Q You remember who?

22 A No, sir. I remember a couple of my
23 friends. Because I was so disturbed about it.
24 I was -- a couple of people came up to me and
25 they was, like, they was wrong for that.

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1 raised me up -- when they got me up off of the
2 ground or whatever, I could see. I just
3 couldn't see people, but I saw, like, the
4 trailers.

5 Q And you couldn't see people. Why?

6 A It was dark for one thing. Then with
7 one eye being closed like.

8 Q Okay. I need to go back to how Mack
9 was laying on you. Before other deputies
10 arrived, did he have you in handcuffs?

11 A No, sir.

12 Q No. And why not?

13 A You're saying, like, when we was out
14 in the woods? When we was in the wooded area?

15 Q Yeah. Okay. So I'm going to -- I
16 want to back up some. You said Mack fell on
17 top of you. He was laying on top of you
18 telling you stop resisting?

19 A He was, like, don't resist. Yeah.

20 Q Okay. And you were saying you weren't
21 resisting?

22 A Yes, sir.

23 Q Okay. At what point did he get
24 handcuffs on you?

25 A All of this was happening at the same

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1 Q Why would they say that?

2 A Why would they say -- I guess because
3 they saw what they was doing. They saw what
4 the --

5 Q They say they saw it?

6 A Yes, sir.

7 Q Okay. I kind of want to get these
8 people's names that said they saw it.

9 A I know one guy. His name is Earnest.
10 I just don't remember his last name.

11 Q That would be one of the friends you
12 were hanging out with that night?

13 A Yeah. Earnest, he said he had done
14 walked to the gate, though.

15 Q Okay. But you couldn't see the
16 trailer park from where you were laying down?

17 A No, not laying down, I couldn't.

18 Q And you said you had to walk in some
19 before you could see it earlier?

20 A Sir?

21 Q Earlier, if I have it right, you said
22 you had to walk -- once they picked you up, you
23 had to walk in some before you could see the
24 fence and the people at the trailer park?

25 A Well, I saw the -- well, when they

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1 time. I guess after he saw me, he jumped down
2 on me and hit me with the light a little bit.
3 And he jumped on my back. That's when he
4 handcuffed me.

5 Q Okay. He jumped on your back and then
6 hit you with the light?

7 A Yeah. All of this was going on -- all
8 of this was happening at the same time.

9 Q You're saying simultaneously. What
10 I'm trying to ask you is, was it just you and
11 Lieutenant White by the time -- when you were
12 placed in handcuffs? Or did other deputies
13 have to come and help him handcuff you?

14 MR. HALL: Object to the form of the
15 question.

16 THE WITNESS: They was up -- they was
17 all close together, right there together.

18 BY MR. TOMINELLO:

19 Q Okay. You don't remember how long it
20 took them to get there once Mack found you?

21 A No, sir.

22 Q How much time elapsed between when
23 Mack found you and when they tried to carry you
24 out of the trailer park?

25 A I don't remember.

15 (Pages 57 to 60)

Page 61

1 Q Okay. Do you remember how many
2 officers came to where you were laying in the
3 woods?

4 A Like I say, I know it was like -- I
5 know it was, like, three officers out there.

6 Q Three including Lieutenant White?

7 A I'll say three all together.

8 Q All together.

9 A That's all that I remember seeing.

10 Q Okay. And I guess I'm unclear. And
11 it's my fault with some of my questions. How
12 did the handcuffs get placed on you?

13 A He handcuffed me from the back.

14 Q He being Lieutenant White?

15 A Yes, sir.

16 Q Okay. And, again, was he alone at
17 that time?

18 A The deputies, they was out there
19 together.

20 Q Well, I know. But had the deputies
21 come to where you were?

22 A Oh, yes, sir.

23 Q They had?

24 A Yes, sir.

25 Q Okay. Did any of the other deputies

Page 63

1 A I don't remember.

2 Q You don't remember?

3 A No, sir.

4 Q You remember what any deputy said?
5 Strike that.

6 Once Mack got the handcuffs on you,
7 what happened?

8 A He picked me up and that's when he
9 took me to the police car.

10 Q Okay. How did they get you there?

11 A I walked to the police car.

12 Q Was it just him leading you or did all
13 of them have their hands on you? Did they all
14 walk with you at one time?

15 A I think he had his hand on me like
16 this (indicating).

17 Q So he had his hand on you. And it was
18 just him or was it multiple officers?

19 A It was just him carrying me -- taking
20 me to the police car.

21 Q What were the other officers doing?

22 A I'm thinking they was still -- I think
23 they was still in the woods trying to find
24 their radio, I guess.

25 Q Okay. You think they were looking

Page 62

1 have to help him handcuff you?

2 A No, sir.

3 Q Okay. So he lays on you and hits you
4 with the light. And then how does he get your
5 hands?

6 A I was laying with my hands down beside
7 me and just put them behind my back.

8 Q Okay. You put them behind your back?

9 A He did.

10 Q He did?

11 A Yes, sir.

12 Q Okay. How did he put them behind your
13 back? Did he grab them both at one time?

14 A I don't remember.

15 Q Did he grab one hand and then grab
16 another hand?

17 A I don't remember.

18 Q Okay. Do you know where his
19 flashlight was at this time?

20 A No, sir.

21 Q Okay. Did he have anything else in
22 his hands?

23 A No, sir, not that I know of.

24 Q Okay. What did the other officers say
25 when they came to where Mack had you?

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1 just for the radio?

2 A Yes, sir.

3 Q Okay. So from the point that they get
4 you to the fence, and that's when your friends
5 and family members start talking to you; is
6 that correct?

7 A Well, I heard my mama and them saying
8 don't beat him or something she was saying.

9 Q When did you hear this?

10 A That's when he spotted me, when I was
11 on the ground. I just heard people hollering.

12 Q That was the only thing that you heard
13 hollering?

14 A Yes, sir.

15 Q If it's dark out there, how would they
16 know that they were going to beat you?

17 A Like I say, I wasn't that far from
18 them. They had done walked up to the fence.

19 Q Okay. Did a deputy ever tell you why
20 he was looking for you in the woods?

21 A No, sir.

22 Q Okay. So what happened from the
23 moment they got you out of the woods and to the
24 fence line?

25 A They put me in the cop car.

16 (Pages 61 to 64)

Page 65

1 Q Okay. Who did?
 2 A Mr. Mack.
 3 Q Okay. And then where did you go? Let
 4 me stop, I'm sorry. Do you remember whose car
 5 it was?
 6 A I just remember getting in the police
 7 car.
 8 Q And was it Lieutenant White that drove
 9 you?
 10 A Yeah. He drove me to the sheriff's
 11 department.
 12 Q To the sheriff's office?
 13 A Yes, sir.
 14 Q Okay. And then from there, what
 15 happened?
 16 A We was talking about some stuff. I
 17 was telling him -- and, really, because it was
 18 the weekend, I didn't want to go to jail on the
 19 weekend. And I was, like, if you're going to
 20 -- I was telling him if he'd just give me an
 21 O. R. bond, I wasn't going to say anything
 22 about what had happened or whatever. And he
 23 was agreeing with it.
 24 And when we get to the sheriff's
 25 department, he put me in this little room and

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1 Facility is because I had the little back fine
 2 thing for not going to the work truck. When I
 3 made it out there, one of the guys that work
 4 out there, the other guys, they was, like,
 5 we're not going to accept you for -- we're not
 6 going to take you in because of how my face was
 7 looking or whatever. And that's when they took
 8 me to the hospital.
 9 Q So are you saying you went straight
 10 from the sheriff's department to the facility,
 11 the correctional facility?
 12 A Yes, sir.
 13 Q You didn't go anywhere else before
 14 going to the correctional facility?
 15 A No, sir.
 16 Q Did you go and get booked at GPD that
 17 night?
 18 A Yeah. That's where they took me, to
 19 the sheriff's department. And then they drove
 20 me to the Washington Regional Correctional
 21 Facility.
 22 Q Okay. So on that night, what happened
 23 after they said they weren't going to take you,
 24 the correctional facility jailers?
 25 A They called another deputy for to take

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1 threw me a bag of ice or whatever and was,
 2 like, put that over your eye.
 3 Q You said he was agreeing with it.
 4 With what you were saying?
 5 A Yes, sir. Because I was telling him
 6 just let me -- just give me an O. R. bond and
 7 just let me go back home and I wasn't going to
 8 say nothing about what he had did to my eye or
 9 whatever.
 10 Q What do you remember him saying?
 11 A He wasn't saying too much. But I
 12 really don't remember.
 13 Q So how do you know he was agreeing
 14 with it, then?
 15 A He was, like, okay or whatever.
 16 Q So the only reason you think that he
 17 was agreeable to it is because he said okay?
 18 A Yeah, he was saying okay. I really
 19 don't remember all the words that was said.
 20 Q Okay. All right. And so they take
 21 you to the sheriff's department and they book
 22 you?
 23 A Yeah. He gave me an O. R. bond that
 24 night. But he said the only reason he had to
 25 take me to the Washington Regional Correctional

Page 68

1 me to the hospital.
 2 Q You didn't go back to the sheriff's
 3 department at any point? Lieutenant White
 4 didn't come and pick you up?
 5 A I refused to get back in the car with
 6 him. I ain't getting in the car with him. So
 7 they called another deputy to take me to Delta
 8 Regional.
 9 Q Okay. So you go to the sheriff's
 10 department and you get booked and they take you
 11 out to the correctional facility. Did you get
 12 booked for anything else that night?
 13 A No, sir.
 14 Q Okay. And then the first time they
 15 called, do you remember what jailer it was that
 16 called?
 17 A No, sir.
 18 Q Okay. Do you know who they called?
 19 A What? To take me to the hospital?
 20 Q Um-hum (affirmative response).
 21 A I'm thinking his name -- I'm thinking
 22 it was Marshall. That's the light-skinned guy.
 23 Q Okay. And so you didn't see any other
 24 medical professional or paramedic before going
 25 to the DRC; is that correct?

17 (Pages 65 to 68)

Page 69

1 A Well, they had called them at the --
2 when I was at the -- to get booked in. And I
3 was telling them I didn't want to go right
4 then. I didn't want to go. Just take me on
5 out there.

6 Q Okay. So you told them you didn't
7 want to go to the hospital at that point?

8 A You know, they was -- the people at
9 the hospital was talking bad and nasty to me.
10 I was, like --

11 Q What people?

12 A The paramedics.

13 Q Okay, the paramedics. What were they
14 saying to you?

15 A I don't remember.

16 Q You just remember it being nasty?

17 A Yes, sir.

18 Q Okay. That's interesting. I mean, I
19 don't understand what could be said that would
20 be considered nasty.

21 A They was -- I was frustrated for one
22 thing. And they was, like, you can go with us
23 or something they was saying. I don't remember
24 what all they was saying.

25 Q But you told them you didn't want to

Page 71

1 A Yes, sir. I didn't, yes, sir.

2 Q And that's when you told them you
3 would prefer to go out to the correctional
4 facility?

5 A Yes, sir.

6 Q Okay. All right. You go back out to
7 the facility. And the jailers, they say what
8 now? What did they say to you again?

9 A They was telling me that -- he was
10 telling me that they didn't want to accept me
11 in. The sheriff, he had -- Mr. Mack had O.R.
12 me out. So he was, like, I still got to take
13 you out there because you got a -- your warrant
14 is for the city.

15 And the city people wouldn't book me
16 into jail with me looking like that. They said
17 they wasn't going to be responsible for me.
18 They wasn't going to put that on them whatever
19 happened that night.

20 Q Okay. Now, you say you refused to get
21 into the car with Lieutenant White. How did
22 that happen? How did you refuse to get into
23 that car?

24 A Well, they hadn't took me out there to
25 the Washington Regional Correctional Facility.

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1 go with them?

2 A I was telling them to go on and take
3 me to the correctional facility.

4 Q Who were you telling that to?

5 A The deputies.

6 Q Okay. Why were you frustrated?

7 A Yes, sir.

8 Q Why? I'm sorry.

9 A For one thing, my eye was messed up,
10 and then I found out that my teeth was broke
11 out.

12 Q When you told the paramedics that you
13 didn't want to go to the hospital, did they
14 make you sign anything?

15 A I don't remember.

16 Q Okay. So they take you to the
17 sheriff's department from the trailer park.
18 And is that when they call the paramedics?

19 A Yeah, I think. Yes, sir.

20 Q That is when they called the
21 paramedics?

22 A Yes, sir.

23 Q Okay. And that's when you told them
24 you didn't want to go to the hospital that
25 time?

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1 They was -- like, they was telling him --
2 because he took me out there, they was telling
3 him you need to take him. You need to take him
4 to the hospital. And I was telling the jailer
5 that I didn't want to ride back with him. I
6 didn't want to ride back in the car with him.

7 Q Okay. Again, why didn't you want to
8 go with him?

9 A Because --

10 Q Was he saying anything to you?

11 MR. HALL: Let him finish his
12 question.

13 MR. TOMINELLO: Thank you.

14 THE WITNESS: Because he had swole my
15 face and stuff up.

16 BY MR. TOMINELLO:

17 Q Okay. And that was the only reason?

18 A Yes, sir.

19 Q Okay. And you think that Deputy
20 Marshall is the one who took you to DRMC?

21 A Yes, sir.

22 Q Okay. Was Deputy Marshall at the
23 trailer park that night?

24 A Yes, sir.

25 Q Okay. How do you know that?

18 (Pages 69 to 72)

Page 73

1 A I remember seeing him out there. And
2 then at the hospital we was talking, and he was
3 telling me that -- he's the one told me that
4 they had arrested Steven that night.

5 Q Where did you see Deputy Marshall at
6 the trailer park?

7 A I don't remember. I just know he was
8 -- well, he told me that he was out there when
9 he was taking me to the hospital. Because he
10 followed us to the sheriff's department, if I'm
11 not mistaken.

12 Q Okay. Do you remember what other
13 deputies were out in the woods looking --
14 searching for you that night other than
15 Lieutenant White?

16 A No, sir.

17 Q Would you recognize them if you saw
18 them?

19 A The only thing I remember -- no, sir.
20 I just know it was three more officers out
21 there.

22 Q Okay. Let's see. So you didn't spend
23 any time in the correctional facility, like in
24 a cell, before you went to DRMC?

25 A No, sir.

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1 A We get to the hospital and that's when
2 they took me and X-rayed my eye. And that's
3 when they was telling me they couldn't do
4 nothing for my eye. My pupil thing or
5 something was messed up inside my eye. And
6 they told Deputy Marshall that they need to
7 take me to Jackson to the University. So they
8 didn't -- I spent the night at the hospital.

9 Q You spent the night there?

10 A Yes, sir.

11 Q Okay. What time did you -- do you
12 remember what time you got to the hospital?

13 A No, sir, I don't remember.

14 Q Had the sun come up yet?

15 A It was nighttime. It was night when
16 they -- yeah, it was the next morning when I
17 left. Because they was supposed to been done
18 took me -- they told -- the people at the
19 hospital told the deputies I was supposed to
20 been in Jackson. But instead of them taking me
21 to Jackson, they took me back to the
22 correctional facility and released me.

23 Q Okay. I want to go back some. Okay.
24 When you arrived at the hospital, was it dark
25 outside?

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1 Q Okay. And they booked you on your
2 city ticket at the facility?

3 A Yes, sir, I think, yes, sir.

4 Q Okay. Did any of the paramedics say
5 anything to you about the degree of your
6 injuries when they saw you at the sheriff's
7 office?

8 A No, sir, not that I remember.

9 Q Not that you remember. Did they try
10 to do anything or did you just --

11 A No, sir.

12 Q Okay. Did you have to fill out any
13 form when you came into the correctional
14 facility?

15 A No, sir.

16 Q Did they ask you any questions?

17 A I just remember the jailer guy, he was
18 just asking me what happened and, like, why
19 they do that and all that.

20 Q You don't remember that jailer's name?

21 A No, sir. I think I'd know him when I
22 see him.

23 Q So take me through, I guess, when
24 Deputy Marshall comes to pick you up. He takes
25 you to DRMC and what happens?

Page 76

1 A Yes, sir.

2 Q Okay. Was it early morning?

3 A I don't remember. I know it was dark.

4 Q Dark?

5 A Yes, sir.

6 Q When you left the hospital, was it --

7 A It was daylight then.

8 Q Daylight?

9 A Yes, sir. I'm thinking I left about
10 six or seven, something like that.

11 Q Okay. So you go and they X-ray your
12 eye?

13 A They did that at Delta Regional.

14 Q Right.

15 A Yes, sir.

16 Q And they X-ray your eye. And they
17 tell you that they can't do anything for it?

18 A Yes, sir.

19 Q Okay. And then what happens?

20 A They released me from the hospital.
21 And they -- the sheriff was supposed to been
22 took me to Jackson University Hospital. But
23 instead, he took me back to the correctional
24 facility.

25 Q Okay. And you're saying that he was

19 (Pages 73 to 76)

Page 77

1 supposed to take you there. Did a sheriff
2 deputy tell you that he was going to take you
3 to Jackson?
4 A Mr. Marshall.
5 Q He said he was going to take you to
6 Jackson?
7 A Well, the hospital had referred for --
8 because that's what they said, I was in their
9 custody. They was supposed to been done took
10 me to the University. But instead, he took me
11 back to Washington Regional and they released
12 me. So Mr. Marshall, he dropped me back off in
13 the trailer park.
14 Q So Deputy Marshall took you -- got you
15 released and then took you home?
16 A Yes, sir.
17 Q Did you know exactly what test they
18 ran on you at DRMC?
19 A No, sir. I don't remember.
20 Q Just an X-ray?
21 A I know they was X-raying my eye. It
22 took, like, forever for them to do that.
23 Q Okay. And what happened after you got
24 released and after you got dropped off?
25 A I called my parents and they took me

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1 have -- every now and then it'll hurt. Like I
2 can stare at the TV a long time, it'll hurt, or
3 if I look at a bright light, something like
4 that.
5 Q And is that because you're looking at
6 a screen or a light for an extended period of
7 time?
8 A Yes, sir.
9 Q Do you think that's why that's caused
10 or do you think it's caused because of your
11 prior injury?
12 A It was probably coming from my injury.
13 I don't know.
14 Q You don't know?
15 A No, sir.
16 Q When Deputy Marshall was taking you
17 around, did he say anything to you?
18 A Not that I remember. Not that I
19 remember. On the way to the trailer park, he
20 was -- he wasn't really just talking. He was,
21 like, they just told me to release you.
22 Q Did you ask him why he wasn't taking
23 you to Jackson?
24 A No, sir, I didn't ask him.
25 Q Okay. Did you want to go to Jackson

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1 back to Delta Regional. And the guys that was
2 up there that morning, I guess their shift had
3 came in. They was, like, we sent some
4 paperwork to the University. The sheriff was
5 supposed to be taking you to Jackson. So my
6 parents ended up taking me to Jackson.
7 Q What time did y'all go back to DRMC?
8 A It was right after Mr. Marshall had
9 dropped me off. I called my parents. They
10 came on out to the trailer park. That's when
11 we went straight back to Delta Regional.
12 Q From Delta Regional, where did you go?
13 A My parents took me to Jackson.
14 Q Straight to Jackson?
15 A Yes, sir.
16 Q Okay. Do you remember what they told
17 you at UMC?
18 A I went and seen an eye specialist, and
19 he was telling me something about my little
20 pupil thing was sideways or something. I don't
21 remember.
22 Q Is that something that still happens?
23 A Sir?
24 Q Is that still happening?
25 A Yes, sir. It's like -- well, I just

Page 80

1 that night?
2 A Yes, sir. Because after Delta
3 Regional told me they couldn't -- I'm thinking
4 my eye was out or something because they was,
5 like, it's closed.
6 Q Could you see out of it?
7 A Could I see out of my eye when it
8 was --
9 Q At Delta Regional.
10 A No, sir. It was swollen for about a
11 week.
12 Q For about a week?
13 A Yes, sir. Like closed shut.
14 Q So after the injury, can you explain
15 what hurt around your eye?
16 A Sir?
17 Q Can you just explain to me -- I guess
18 I asked what hurt about your eye. What I want
19 to know is, after everything healed up, what
20 still hurts? You said it hurts when you look
21 at the light.
22 A Yeah. It's like the center of my eye.
23 Q Like the actual eyeball?
24 A Yes, sir.
25 Q Okay. Do you have any pain anywhere

20 (Pages 77 to 80)

Page 81

1 else?

2 A No, sir. It just hurts on that side.
3 It do it off and on. It's been doing it ever
4 since that happened.

5 Q Okay. Has a doctor ever told you that
6 the incident and the injury that you suffered
7 is what causes that pain?

8 A No, sir.

9 Q No. Okay. Do you know if you had --
10 or has the injury impaired your vision at all?

11 A No, sir. I hadn't went back to the
12 eye specialist yet.

13 Q Okay. And at UMC, they weren't able
14 to test the vision in both eyes?

15 A Yeah, he tested it. He said one of
16 them -- I don't remember how he put it. But
17 like one of them, they was different, like the
18 vision. He had me looking at a little chart
19 thing. But at that -- well, he was just
20 testing my right eye.

21 Q He wasn't testing both?

22 A No. It was closed at the time. He
23 had to take something and open it up himself.

24 Q Okay. What did he tell you? Do you
25 know?

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1 Q Okay. It doesn't get blurry?

2 A No, sir.

3 Q Okay. Has a doctor ever told you that
4 you may have had eye problems in the past?

5 A No, sir.

6 Q Okay. Has anything ever affected your
7 eye function in the past?

8 A No, sir.

9 Q Okay. Let's see. I want to come back
10 to some of your damages later. But I do want
11 to go through your arrests.

12 Has anybody looked at your teeth?

13 A Yes, sir.

14 Q Okay. Who?

15 A Dr. Higgins.

16 Q Higgins. Is he here in town?

17 A It's a lady.

18 Q I'm sorry, is she here in town?

19 A Yes, sir. I think her office is on
20 Colorado Street.

21 Q Colorado. What did she say?

22 A She was saying that she can recap them
23 or something, put some filling in them. But
24 she was, like, if I bite on something hard,
25 it'll just break back off.

Page 82

1 A No, sir.

2 Q He didn't --

3 A He was using some little things to try
4 to open it up, you know, so he can shine the
5 light and look in it.

6 Q What was the UMC doctor's kind of, I
7 guess, diagnosis of injuries right here? Did
8 he tell you?

9 A I don't remember.

10 Q Okay.

11 A I think I got my doctor bills at home.

12 Q We'll go through those. So have you
13 had any vision-related problems other than the
14 pain that you were talking about since that
15 accident or incident, rather?

16 A Sir?

17 Q Have you had any vision-related
18 problems? Other than you told me that you
19 sometimes have pain in your eyeball, but is
20 there any other vision-related problems that
21 you have?

22 A No, sir, not besides just staring at
23 something for a long time or something.

24 Q You see the same as you could before?

25 A Yes, sir.

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1 Q Are they still like that today?

2 A Yes, sir, in the top.

3 Q Is it just the bottom teeth?

4 A It's the top, too.

5 Q The top, too?

6 A I guess it later chipped it off
7 like.

8 Q Since the accident, it's chipped more,
9 you say?

10 A Yes, sir. I mean, I was eating
11 something hard that day and it --

12 Q All right. Let's see. When did you
13 go see her?

14 A I think it was like a couple of weeks
15 after I left the eye specialist.

16 Q Who did you see as a specialist for
17 your eye?

18 A Dr. -- I don't remember his name.

19 Q Where was he?

20 A Where?

21 Q Where was he located at?

22 A At the University.

23 Q University Medical Center?

24 A Yes, sir.

25 Q Did you see him that day that you --

21 (Pages 81 to 84)

Page 85

1 March the 17th, the day after the incident?
 2 A Yeah, it was the day after, yes, sir.
 3 Q Okay. You saw the specialist that
 4 day?
 5 A Yes, sir.
 6 Q And so you saw her the day after. The
 7 next day, I guess that might be, what, Sunday?
 8 When did you see Dr. Higgins?
 9 A It was like a week later.
 10 Q A week later. Okay. Have you ever
 11 been back to a doctor other than your trip to
 12 UMC and Dr. Higgins? Have you seen another
 13 doctor because of these injuries?
 14 A No, sir. I couldn't afford to see a
 15 doctor.
 16 Q Have you ever gone back to University
 17 Medical Center other than that one time?
 18 A No, sir.
 19 Q So if there's a record that shows you
 20 being there about five days after your first
 21 one, you have no idea why that record would be
 22 -- would exist?
 23 A No, sir.
 24 Q Okay. Since we're on kind of your
 25 medical damages and your history, what doctor

Page 87

1 A No, sir. I really wasn't paying it no
 2 attention. I was eating something and it broke
 3 off.
 4 Q Okay. Had you seen Dr. Higgins before
 5 that extra piece broke off?
 6 A No. I didn't ask her about the top.
 7 That was just for the bottom.
 8 Q So the top, I guess, broke off after
 9 you had seen her. Is that what --
 10 A Yes, sir, it was after.
 11 Q Okay. I kind of want to go through
 12 your work history. Do you work?
 13 A No, sir, not at the time.
 14 Q Not at the time. Do you work now?
 15 A No, sir.
 16 Q No. Okay. What do you do for a
 17 living?
 18 A Well, my uncle and my dad, they own
 19 like a tire and bait shop, and I go help them
 20 out from time to time.
 21 Q Where is this at?
 22 A On Highway 1, Martin Luther King, like
 23 right across the street from Coleman Middle
 24 School.
 25 Q Okay. How much do you get paid for

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1 do you use? Or do you use a doctor here in
 2 town?
 3 A I don't really have a family doctor.
 4 Q Okay. If you were to go to one, who
 5 would you go to?
 6 A I usually go to Dr. Hawkins. That was
 7 like when I was a kid. But she's still in
 8 business.
 9 Q Okay. Have you been to Dr. Hawkins
 10 since you were a kid?
 11 A No, sir.
 12 Q Okay. Is Dr. Higgins your family
 13 dentist?
 14 A Yes, sir.
 15 Q Is that who you normally go to?
 16 A Yes, sir.
 17 Q Okay. Have you ever chipped a tooth
 18 before?
 19 A No, sir.
 20 Q Have you chipped it since?
 21 A Since the bottom, like a week or so
 22 later, I was eating something else and the top
 23 just broke off.
 24 Q Okay. And it didn't appear to be
 25 broken before?

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1 working out there?
 2 A When I go up there and help, I usually
 3 make like -- I get paid, like, \$100 a day,
 4 something like that.
 5 Q \$100 a day?
 6 A Yes, sir.
 7 Q And what do you do?
 8 A It's not exactly 100. It'll be
 9 somewhere in the range.
 10 Q Sir? What do you -- I'm sorry, you
 11 can finish.
 12 A We sell tires and fix tires. I help
 13 my uncle out in the bait shop area.
 14 Q Every day?
 15 A No, sir. Well, I go up there like --
 16 I probably go, like, three or four times out of
 17 a week or something. I haven't been up there
 18 lately. It was probably like a week ago.
 19 Q Why not?
 20 A I just been sitting around the house.
 21 Q Other than this job, you don't do
 22 anything else to get income?
 23 A No, sir.
 24 Q Does your wife work?
 25 A No, sir.

22 (Pages 85 to 88)

Page 89

1 Q So how do you guys -- I'm sorry, where
2 do you live?
3 A On Solomon Street.
4 Q Do you rent a house?
5 A We stay in an apartment.
6 Q You stay in an apartment?
7 A Yes, sir.
8 Q You rent it?
9 A Yes, sir.
10 Q And whose name is it in?
11 A It's in her name.
12 Q In her name?
13 A Yes, sir.
14 Q How do you guys pay the rent?
15 A Well, her kids -- one of her kids get,
16 like, Social Security. We use that to help.
17 And then when I go up to the shop. Our rent
18 ain't nothing but like \$200 a month. And I go
19 up there and help out or whatever. We don't
20 have but rent and electrical.
21 Q You've never worked anywhere else
22 before?
23 A No, sir. Well, besides little summer
24 jobs. That was when I was in school, high
25 school.

Page 90

1 Q What kind of jobs were those?
2 A My Uncle Henry, he had like a
3 construction business. I usually go help him
4 from time to time. And my Uncle Willie B., he
5 owns a junkyard. I go help him from time to
6 time up there.
7 Q Which uncle does your dad owns the
8 bait shot with?
9 A Leroy Prince.
10 Q Okay. Has your injuries limited your
11 ability to work at all?
12 A Well, during the time that it
13 happened, I couldn't work. That was when I was
14 working at the shop daily, every day then.
15 Q So I guess I'm asking why now can you
16 not work every day?
17 A Well, I help my girl out with her
18 kids.
19 Q Okay. And --
20 A And we got another guy that works up
21 there at the shop. So we really be -- when he
22 needs a little break, I'll go in and work
23 sometimes in his place like that.
24 Q Before the accident, how long were you
25 working daily?

Page 91

1 A I usually go to the shop like 8:30
2 that morning, and we close like 7:00 in the
3 evenings.
4 Q Okay. And by daily, do you mean every
5 day of the week, Monday through Sunday?
6 A Yes, sir.
7 Q Monday through Sunday?
8 A Yes, sir.
9 Q Six to eight, you said?
10 A No. From like 8:30 -- I'll go up
11 there around 8:30 and leave like 7:00.
12 Q 7:00?
13 A Yes, sir.
14 Q And you don't work that way now
15 because you have additional help?
16 A Sir?
17 Q You don't work those long hours
18 anymore because they have additional help?
19 A Yes, sir.
20 Q Okay. It's not because you just can't
21 or you're just not able? It's because you're
22 just not able to because of your injuries,
23 correct?
24 A No, it's not because of that.
25 Q Okay. And how long were you unable to

Page 92

1 go back to work due to your injuries?
2 A I don't remember.
3 Q How long did it take your eye to heal?
4 A Well, it stayed -- well, it was closed
5 up for, like, a week. But I still had the
6 little -- I still had a bruise around it. It
7 had just now opened up. It took, like, a week
8 for it to open up.
9 Q Were you able to work once it opened
10 up?
11 A No, sir. I didn't go to work until,
12 like, it just healed all the way.
13 Q And why not?
14 A Well, really, that's like a public
15 place. I didn't just want to be up there like
16 that.
17 Q Okay. So what are, again, your
18 duties? You said that y'all sold stuff. Were
19 you, like, a cashier? What were your duties at
20 the job, at the bait shop?
21 A Well, I was, like, helping him I guess
22 you can say stock. I was just helping him to
23 put the stuff up in the bait shop area. But in
24 the tire shop area, I fixed the tires, operate
25 the machine or whatever.

23 (Pages 89 to 92)

Page 93

1 Q Do customers go back to the tie flying
2 area?

3 A Sir?

4 Q The tie flying area, do customers get
5 to go back to the tie flying area?

6 A I'm saying, what do you mean by that?

7 Q The way you described it to me, it
8 sounds like there's a store front and then
9 there's like maybe in the back or in a side
10 building a place where you tie up, like tie up
11 flies or little jigs and things like that.

12 A No. I'm saying a tire shop. Well,
13 fix used --

14 MR. HALL: Tire shop.

15 BY MR. TOMINELLO:

16 Q Tire, I'm sorry. Okay. Anyway, okay,
17 a tire shop?

18 A Yes, sir.

19 Q Okay. What do you do at the tire
20 shop?

21 A Well, I run the machine.

22 Q Okay. What machine?

23 A Well, the tire machine. Well, we got,
24 like, two machines in there.

25 Q What does it do?

Page 95

1 A I still didn't want to. It was
2 like --

3 Q You just didn't want to? I mean, was
4 there something else physically --

5 A I'm saying, like, the little bruise
6 was still there, so...

7 Q So you just didn't want to go?

8 A Well, yeah, I didn't want -- see, I
9 have to talk to the customers. So I didn't --
10 people be asking what happened to your eye or
11 whatever. I just stayed home until it healed
12 all the way up.

13 Q Okay. Were you embarrassed about it?

14 A Yes, sir.

15 Q Why?

16 A Because I didn't want nobody to know.
17 Like I wasn't really -- I wouldn't say
18 embarrassed, because it wasn't like I got into
19 a fight and just got beat up. It was, okay,
20 the sheriff's officers did it. The deputy did
21 it. So I wasn't just really embarrassed about
22 it. But I just waited until it healed up.

23 Q I mean, if you weren't really
24 embarrassed about it, I mean -- and I'm not
25 trying to ask the same question over and over.

Page 94

1 A It's the one that will take the tire
2 off the rim. And, you know, if you have to
3 patch the tire or if somebody's buying the
4 tire, it's just -- it's the machine that takes
5 the tire off the rim.

6 Q Okay. How do you operate that
7 machine?

8 A Well, you got like three pedals you
9 have to use.

10 Q Okay. Once your eye opened up --
11 well, I guess -- is the public allowed to be in
12 that area where you're taking tires off of
13 rims?

14 A No, sir.

15 Q No. So you said you didn't want to go
16 back to work because it's kind of a nasty
17 bruise and a public place?

18 A Yes, sir.

19 Q Could you not just go and take tires
20 off the rims?

21 A No, sir. Because I was using -- well,
22 I have to jack the car, take the lugs off and
23 that's when I take the rims off.

24 Q Okay. And so why once your eye opened
25 back up were you not able to do that?

Page 96

1 But if you weren't embarrassed about it, you
2 know, and it wasn't really affecting you, you
3 could have gone back to work, right?

4 A And then, like, it was summertime.
5 And then by that sun still so -- like shining
6 bright, it was -- my eye, when it opened up, it
7 still hurt. I still had pain out of it. Well,
8 I had to put -- I think he gave me some eye
9 drops. I forgot what other type of medicine I
10 had.

11 Q Where was the pain at?

12 A My whole eyeball.

13 Q Your eyeball?

14 A But he said the center -- the pupil
15 was messed up, the little black dot.

16 Q Okay. At that point was it only
17 hurting in the eyeball?

18 A Yes, sir.

19 Q Okay. What was your hair like on
20 March 16th, 2012?

21 A My hair?

22 Q Um-hum (affirmative response).

23 A Oh, I had braids then.

24 Q Braids?

25 A Yes, sir.

24 (Pages 93 to 96)

Page 97

1 Q Is it also called, like, dreads by
2 people who don't really think it's dreadlocks?
3 A No, sir. They wasn't like dreadlocks.
4 They was like braids, plats, I think. Yeah, it
5 was like braids, plats.
6 Q Can you take your hat off and let
7 us --
8 A Yes, sir. I got it cut now.
9 Q What kind of hat is that?
10 A Raiders.
11 Q A Raiders hat?
12 A Yes, sir.
13 Q You've had that hat?
14 A Sir?
15 Q How long have you had that hat?
16 A Probably like a couple of weeks.
17 Q Is the Raiders your favorite team?
18 A Well, I just bought it for the color,
19 really.
20 Q Okay. Is that a color you like to
21 wear often?
22 A Yes, sir.
23 Q Is it the only one you have?
24 A No, sir.
25 MR. TOMINELLO: Let's take a break.

Page 98

1 (A BREAK WAS TAKEN.)
2 BY MR. TOMINELLO:
3 Q All right. We're back on the record.
4 Okay. I want to kind of revisit what we talked
5 about at first with Steven Johnson. You said
6 you had been in an altercation with him before.
7 Do you remember when that was?
8 A No, sir, I don't remember that.
9 Q Do you know if it was before or after
10 this incident?
11 A It was before.
12 Q It was before?
13 A Yes, sir.
14 Q Okay. Did y'all end up fighting?
15 A No, sir.
16 Q Okay. Did anybody pull a gun on
17 anybody?
18 A No, sir.
19 Q Okay. Have you ever told anybody that
20 on March the 16th, 2012, you had gotten into an
21 altercation with someone?
22 A No, sir.
23 Q Okay. And I just want to touch on one
24 thing. You've sued Marvin Marshall in this
25 lawsuit. What, if anything, did he do to cause

Page 99

1 you damage?
2 A Who? Who's that now?
3 Q Deputy Marshall, Marvin Marshall. He
4 would be the one who you testified that took
5 you to the hospital.
6 A Well, he was out in the field, like,
7 when everything was going on.
8 Q But how do you know he was out in the
9 field? Because earlier --
10 A He told me he was out there in the
11 trailer park. And then was the only officers
12 that was out there. And all of them --
13 Q And is that the only reason -- I'm
14 sorry.
15 A Sir?
16 Q You can finish, I'm sorry.
17 A And all of them was, like, chasing
18 after me.
19 Q Okay. So you know Marvin Marshall was
20 chasing after you?
21 A Well, he was one of the deputies that
22 was out in the field. I mean that was out
23 there in the trailer park when the cops got
24 called.
25 Q Okay. So he was out in the trailer

Page 100

1 park or he was out in the field?
2 A Well, I just know for sure that he was
3 out -- he was on that call. Whenever they
4 called, he came out.
5 Q Okay.
6 A Because he told me that -- he's the
7 one that let me know that Steven had got
8 arrested that night.
9 Q Okay. But I'm saying with respect to
10 your damage, with respect to the alleged
11 excessive force used against you and the
12 alleged denial of medical care, what role did
13 Marvin Marshall play in that at all?
14 A Well, during the time they took me to
15 the hospital, he was supposed to be the one
16 that took me -- to take me to Jackson to the
17 University. And he didn't take me there. He
18 took me back to Washington Regional
19 Correctional Facility.
20 Q Do you know why he did that?
21 A No, sir.
22 Q Did he say I was told to do it, but
23 I'm just going to do it on my own or anything
24 like that?
25 A I don't remember.

25 (Pages 97 to 100)

Page 101

1 Q Okay. I want to go through some of
2 your damages that we haven't touched on
3 already. You say you suffered permanent
4 disfigurement. Can you just explain what you
5 mean by that?

6 A What you say now?

7 Q I'm sorry. And I don't know if you're
8 familiar with some of the damages alleged in
9 your complaint or not. But one of the damages
10 alleged is that you suffered permanent
11 disfigurement because of this incident. And I
12 just want to know what permanent disfigurement.
13 You know, everything that you say constitutes
14 permanent disfigurement.

15 And by permanent -- and by
16 disfigurement --

17 A Yeah, could you explain?

18 Q Yeah. It means like say you have a
19 scar for something. That would be
20 disfigurement.

21 MR. HALL: Object to the form of the
22 question. But you can answer it.

23 MR. PHILLIPS: It's his words, not
24 yours. Let him explain to you what he
25 means by it.

Page 103

1 MR. HALL: If he's gotten any
2 recently, I don't have them. And I would
3 agree to produce them.

4 MR. TOMINELLO: Okay.

5 MR. HALL: Or I'll make sure you've
6 got everything.

7 BY MR. TOMINELLO:

8 Q Did you have insurance at the time of
9 this incident?

10 A No, sir.

11 Q Did you have Medicaid?

12 A No, sir.

13 Q In your complaint, there's a claim for
14 future medical expenses. Has a doctor told you
15 that you're going to need medical care for
16 anything caused by this incident in the future
17 from today forward?

18 A Well, not exactly. He just told me I
19 was going to have problems out of my eye and
20 that's about it, as far as my eye specialist
21 told me, that my pupil was messed up in my eye.

22 Q Did he say that was permanent?

23 A Yes, sir.

24 Q There's a claim for mental anguish.
25 What mental anguish did you suffer because of

Page 102

1 THE WITNESS: Well, as far as like my
2 eye and teeth -- I had other bruises on my
3 body like cuts and other bruises, too,
4 besides just my eye and my teeth.

5 BY MR. TOMINELLO:

6 Q Okay. And from those, I guess,
7 injuries, were any permanent?

8 A No, sir. Well, I got marks on me, but
9 I don't guess it comes from -- just scars.

10 Q Okay. And those are unrelated?

11 A Sir?

12 Q Are you saying those are unrelated?

13 A I guess some of them is. I really
14 don't remember like which scars stick on my
15 body and which is not. I don't remember that.

16 Q Okay. Your past medical expenses, do
17 you have any idea how much?

18 A No, sir.

19 Q Okay. Are you still getting bills?

20 A Yes, sir.

21 Q Okay. Do you know how much those
22 bills are?

23 A Well, I got some of them. Yeah, I got
24 some of my doctor bills. But I'm still getting
25 bills.

Page 104

1 this incident?

2 A I don't remember.

3 Q You don't know?

4 A No, sir.

5 Q Severe physical injuries. What severe
6 physical injuries did you incur?

7 A Could you break that down? Like what
8 do you mean?

9 Q Well, it says -- just verbatim, it
10 says that because of this incident, you
11 suffered severe physical injuries. And --

12 A Well, that's for my eye and my teeth
13 and body wise. But I don't know if any
14 permanent scars are on my body. But I
15 know. . .

16 Q All right. You make a claim for loss
17 of wages. You said you would make -- have you
18 estimated how much you lost in wages because of
19 this accident?

20 A No, sir. But I know I was making like
21 -- at least from like 80 to \$100 a day when I
22 was working, because I was working every day
23 then.

24 Q Okay. And I believe you testified
25 earlier that your eye was swollen shut for a

26 (Pages 101 to 104)

Page 105

1 week?
 2 A Yeah, it was closed shut for a week.
 3 Q Okay.
 4 A But I still didn't -- I'll just say
 5 probably about a month's time, I didn't go up
 6 to the shop none because it still was bruised.
 7 Q Pain and suffering. Can you just go
 8 through what the pain and all that that you
 9 have because of this incident?
 10 A Well, from my eye and body wise, I had
 11 pain like from my waist up area.
 12 Q Okay. Were you prescribed any
 13 medication for pain by any healthcare provider
 14 that you saw?
 15 A When I went to Jackson, they -- I
 16 think I got some ibuprofen. I don't remember
 17 all the medication they gave me.
 18 Q And I'm close to being done. I do
 19 want to ask you about your prior arrests.
 20 Do you know about how many times
 21 you've been arrested in the past?
 22 A Well, after that incident?
 23 Q Before or after.
 24 A No, sir.
 25 Q No. Okay. Do you remember being

Page 107

1 vandalism.
 2 Q Okay. Do you remember being arrested
 3 for failure to comply?
 4 A Is that the city paperwork?
 5 Q Yeah, I think this is.
 6 A Yeah, I think so. I think, yeah.
 7 Q Okay. Do you remember what happened
 8 in that incident?
 9 A No, sir, I don't remember.
 10 Q Okay. Do you know if you pled guilty
 11 or not guilty?
 12 A You got a date on that?
 13 Q Let's see. It's April the 2nd of
 14 2010.
 15 A If all of those charges the same -- it
 16 happened the same day, I probably -- it was
 17 different days.
 18 Q I'll represent to you they're not all
 19 on the same day. Do you remember getting
 20 arrested for domestic violence and simple
 21 assault?
 22 A Yes, sir. But what happened with that
 23 incident, it wasn't like -- it got thrown out.
 24 It wasn't --
 25 Q I understand. In connection with that

Page 106

1 arrested for possession of marijuana?
 2 A Yes, sir.
 3 Q Okay. Can you tell me a little about
 4 how you came to be arrested for possession of
 5 marijuana?
 6 A Well, it was Christmas Eve. And I
 7 went and got, like, three nickle bags and I was
 8 fixing to go to a party and smoke and have fun.
 9 And I got pulled over.
 10 Q You got pulled over?
 11 A Yes, sir. And they -- that's when
 12 they found I had the three nickle bags in my
 13 pocket.
 14 Q Do you remember being arrested for
 15 malicious mischief?
 16 A No, sir.
 17 Q Okay. Do you remember being arrested
 18 for vandalism?
 19 A I never got arrested for vandalism.
 20 Q You've never been arrested for
 21 vandalism?
 22 A No, sir.
 23 Q Okay.
 24 A Unless they pulled it up in court or
 25 something, I ain't never get arrested for no

Page 108

1 incident, if you were also charged with failure
 2 to comply, do you remember what happened?
 3 A If all of that -- so that happened on
 4 the same day that I got charged with the --
 5 Q Yeah.
 6 MR. PHILLIPS: You can show it to him
 7 if you want to.
 8 THE WITNESS: If that happened on the
 9 same day, then all of --
 10 BY MR. TOMINELLO:
 11 Q Because that'll make it a lot easier.
 12 These three charges all happened on the same
 13 day. And I just kind of want to know -- the
 14 actual list of the charges would be up there
 15 (indicating).
 16 A I don't guess I got a failure to
 17 comply. Probably because I ran, probably. I
 18 don't know. I don't remember, really.
 19 Q All right.
 20 MR. HALL: Don't guess.
 21 THE WITNESS: Yes, sir. I don't
 22 remember.
 23 BY MR. TOMINELLO:
 24 Q So you guess, you say, you might have
 25 ran. Why would you say that?

27 (Pages 105 to 108)

Page 109

1 A I don't -- I really don't remember.
 2 Q Why would --
 3 A But when you pulled that domestic
 4 violence charge up, I think that comes from my
 5 little girl's mother. I know she had filed
 6 some charges on me for some stuff. But that
 7 was a while, awhile back. I think I was in
 8 high school.
 9 Q Okay.
 10 A No. I think I was college.
 11 Q Have you run from the cops on multiple
 12 occasions?
 13 A No, sir.
 14 Q So --
 15 A Well, I have once.
 16 Q Okay. Do you remember anything about
 17 that?
 18 A No, sir, I don't remember.
 19 Q Let's see. Do you remember about when
 20 that was?
 21 A No, sir.
 22 Q Let's see. I'm going to go --
 23 A That charge, really, failed to comply,
 24 could you explain to me what that's like?
 25 Q I think it's failure -- basically it's

Page 111

1 was in this field. We just seen some iron
 2 beams out there, so we loaded up a couple of
 3 beams. And a guy said that was his beams, so
 4 he pressed charges on us.
 5 Q Okay. Do you remember being arrested
 6 for failure to comply again in October of 2012?
 7 A No, sir.
 8 Q Okay. Let me show you this
 9 (indicating). Why would you have been charged
 10 with failure to comply in that incident?
 11 A I don't remember that.
 12 Q Okay. Do you remember being arrested
 13 for resisting arrest?
 14 A Is this still city?
 15 Q Um-hum (affirmative response).
 16 MR. HALL: What's the date on that?
 17 BY MR. TOMINELLO:
 18 Q October of 2012.
 19 A So these happened the same dates?
 20 Q Um-hum. It happened the same day you
 21 were arrested for failure to comply and
 22 resisting arrest.
 23 A Well, I pled not guilty on that. I
 24 don't remember it, unless it happened -- what
 25 day that is? Is that when I went to court on

Page 110

1 short for failure to comply with a lawful
 2 order. Which would mean an officer told you to
 3 do something and you didn't do it.
 4 MR. HALL: And I'll object to your
 5 opinion of what that means. No code
 6 section and --
 7 THE WITNESS: Exactly. I really don't
 8 remember.
 9 BY MR. TOMINELLO:
 10 Q Okay. So you have no idea why you
 11 would have been charged with failure to comply?
 12 A No, sir.
 13 Q Okay. Do you remember being arrested
 14 for larceny?
 15 A Yes, sir.
 16 Q Okay. Do you know if you pled guilty
 17 or not guilty?
 18 A I think I pled guilty to that one.
 19 Yes, sir.
 20 Q Okay. Do you know what happened
 21 during that incident?
 22 A Well, me and some friends, well, we
 23 was really like picking up -- that's when I was
 24 picking up iron and stuff like that, little
 25 scrap iron off the side of the road. And we

Page 112

1 it?
 2 Q Yeah, that's when you went to court.
 3 That's the date of the offense (indicating),
 4 which you'll notice is about seven months after
 5 the incident we're here about today.
 6 A I don't remember. I don't remember.
 7 I'm trying to see. I remember when, well, one
 8 night I was at Double Quick and a lady officer,
 9 she was telling me to come here or something.
 10 Well, I was with my cousin and he wasn't
 11 supposed to be on Double Quick's premises. And
 12 I went -- I think I went to jail that night,
 13 because I took off to running that night from
 14 the --
 15 Q Why did you take off running?
 16 A Because I wasn't fixing to -- trying
 17 to go to jail.
 18 Q Okay. I have to ask you. I mean,
 19 there's, you know, the charge before that. The
 20 charge in relation to this that you -- well,
 21 let me show it to you. Do you know what all
 22 you were charged with arising out of this
 23 incident at the Pearson Trailer Park?
 24 A If you can bring back my remembrance.
 25 Q All three of these arose out the

28 (Pages 109 to 112)

Page 113

1 incident that we're here about today when you
 2 were arrested (indicating).
 3 A Where's the charge at?
 4 Q They're all close to the bottom on the
 5 left side.
 6 A Okay. Okay.
 7 Q So what all were you charged with?
 8 A Disturbing the peace, resisting arrest
 9 and public drunk.
 10 Q Okay. Do you make it a habit to run
 11 from the police?
 12 A Sir?
 13 Q Do you make it a habit to run from the
 14 police?
 15 A I don't just make it no habit. But
 16 I'm not the type to just go to the police and
 17 be like, okay, take me, here I am, lock me up.
 18 I'm not going to just let them get me like
 19 that.
 20 Q Okay. So if you feel like you're
 21 about to go to jail and an officer gives you an
 22 order to stop --
 23 A Yeah, if I can get away, I'm going to
 24 try to get away.
 25 Q You're going to try to get away.

Page 115

1 Trailer Park?
 2 A No, sir.
 3 Q Okay. So these all occurred since
 4 that time you were injured at the Pearson
 5 Trailer Park?
 6 A Exactly.
 7 Q Okay. You were asked about the term
 8 "disfigurement." Do you know -- can you define
 9 that term?
 10 A No, sir.
 11 Q Okay. Do your teeth look different
 12 than they did before your injury at the Pearson
 13 Trailer Park?
 14 A Yes, sir.
 15 Q How? Describe the difference.
 16 A Well, all of my teeth was even. And
 17 then after that, now they're cracked.
 18 Q Okay. Is that what you mean by
 19 disfigurement?
 20 A Yes, sir.
 21 Q And do you know what mental anguish
 22 is?
 23 A No, sir.
 24 Q Since the incident behind Pearson
 25 Trailer Park, what, if any, type of emotional

Page 114

1 MR. TOMINELLO: Can I talk to you for
 2 a second?
 3 MR. PHILLIPS: Sure.
 4 MR. TOMINELLO: We don't have anything
 5 else.
 6 MR. HALL: Okay. I just have a
 7 couple.
 8 EXAMINATION
 9 BY MR. HALL:
 10 Q Michael, you described some pain
 11 around your left eye in your orbit, the eye
 12 socket. You remember talking about that
 13 earlier?
 14 A Yes, sir.
 15 Q Before this arrest that we're talking
 16 about that happened in the woods behind the
 17 Pearson Trailer Park, did you have that same
 18 kind of pain?
 19 A No, sir.
 20 Q Okay. You talked about having
 21 sensitivity or something to light with your
 22 eye. You remember that?
 23 A Yes, sir. Talking about -- yeah.
 24 Q Did you have that pain and that
 25 sensitivity before being injured behind Pearson

Page 116

1 feeling have you had about that incident?
 2 A Well, sometimes I get disturbed when
 3 my eye starts hurting. And my teeth, just
 4 looking in the mirror at my teeth and knowing
 5 that they're broke and the dentist said that
 6 she couldn't fix them.
 7 Q And that bothers you emotionally?
 8 A Yes, sir.
 9 Q In what way?
 10 A Well, just knowing that I can't -- I
 11 can't get them fixed.
 12 Q Okay. Is there any other type of
 13 emotional response or thing that you have when
 14 you think about this incident at the Pearson
 15 Trailer Park?
 16 A No, sir.
 17 Q Okay.
 18 MR. HALL: That's all I have.
 19 MR. TOMINELLO: I don't have anything
 20 else.
 21 MR. HALL: All right. Is he good to
 22 go?
 23 MR. PHILLIPS: He is.
 24 COURT REPORTER: Do you want him to
 25 read and sign?

29 (Pages 113 to 116)

Page 117

1 MR. HALL: Yes.
 2 (DEPOSITION CONCLUDED AT 1:44 p.m.)
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Page 119

1 me this ____ day of _____, 2014, at
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SIGNATURE OF WITNESS

1 I, _____, do solemnly
 2 swear that I have read the foregoing pages and
 3 that the same is a true and correct transcript
 4 of the testimony given by me at the time and
 5 place hereinbefore set forth, with the
 6 following corrections:
 7 PAGE: LINE: SHOULD READ: REASON FOR
 8 CHANGE:
 9 _____
 10 _____
 11 _____
 12 _____
 13 _____
 14 _____
 15 _____
 16 _____
 17 _____
 18 _____
 19 _____
 20 _____
 21 _____
 22 _____
 23 _____
 24 _____
 25 _____

(SIGNATURE)

NOTARIZATION

1 I, _____, notary public.
 2 for the State of _____,
 3 _____ County, do hereby certify that
 4 _____ personally appeared before
 5 _____

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CERTIFICATE OF COURT REPORTER

1 I, Debra A. Williams, CCR, and Notary
 2 Public in and for the County of Madison, State
 3 of Mississippi, hereby certify that the
 4 foregoing pages, and including this page,
 5 contain a true and correct transcript of the
 6 testimony of the witness, as taken by me at the
 7 time and place heretofore stated, and later
 8 reduced to typewritten form by computer-aided
 9 transcription under my supervision and to the
 10 best of my skill and ability.

11 I further certify that I placed the
 12 witness under oath to truthfully answer the
 13 questions in this matter under the power vested
 14 in me by the State of Mississippi.

15 I further certify that I am not in the
 16 employ of or related to any counsel or party in
 17 this matter, and have no interest, monetary or
 18 otherwise, in the final outcome of the
 19 proceedings.

20 Witness my signature and seal this the
 21 day of _____
 22 _____
 23 _____

24 DEBRA A. WILLIAMS, CCR
 25 My Commission Expires May 12, 2014

30 (Pages 117 to 120)